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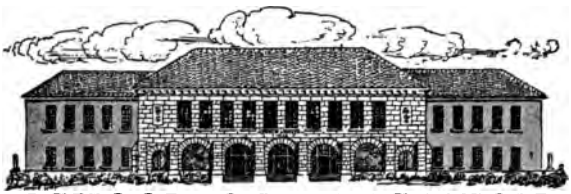

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State History Series

A

HISTORY OF GEORGIA

FOR USE IN SCHOOLS

BY

LAWTON B. EVANS

NEW YORK ·:· CINCINNATI ·:· CHICAGO

AMERICAN BOOK COMPANY

628995

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E-P 9

PREFACE.

THE author has tried to present in this book the leading facts of the history of Georgia, and he has spared neither time nor trouble in endeavoring to obtain them. Leading facts in the history of the United States are interwoven in the narrative wherever the closeness of their relation to Georgia history makes it necessary or desirable.

The book is written for pupils from twelve to fifteen years of age. Though not descending to childish narrative, the author has endeavored to make the story easily understood. But it cannot be mastered without study, for without study nothing really valuable in education can ever be acquired. The narrative that is merely pleasing is not always the most serviceable or the most likely to be retained in the memory.

Great care has been taken and great expense incurred in the pictorial illustrations of the book. Pictures of many Georgia men are given for the first time in a history, special attention having been paid to the work of securing good likenesses of those who as generals led Georgia's brigades in the Civil War. The faces of these commanders in the great struggle are thus presented to the youth of the State, who will look upon them with gratification and pride.

To teachers, the author desires to suggest that the book be used as a reader in the seventh and eighth grades and in the high schools. After a chapter has been read, the questions at the end may be of help in the work of review, while the "Topics" may be found serviceable as supplying subjects for written exercises. By using the text at the rate of two chapters a week, the book can be mastered in a year. Should

the teacher desire a very critical study, the book may be used for a two years' course.

In his effort to produce a good and serviceable history, the author has had valuable help from Mr. Otis Ashmore, of Savannah, who has aided him much in original research. The author also acknowledges his indebtedness to Mr. C. L. Patton, of the University Publishing Company, whose work has largely contributed to make the book a complete, accurate, and reliable School History of Georgia.

LAWTON B. EVANS.

AUGUSTA, GA.

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HISTORY OF GEORGIA.

EPOCH I.

Before English Colonization.

CHAPTER I.

DISCOVERY AND EARLY EXPLORERS.

"Fairest, fruitfulest, and pleasantest of all the world."—RIBAULT.

THE boys and girls who study this book know that the part of the land upon which we live is called Georgia. On the maps in the Geography they have seen a section with the name "Georgia" printed across it, which they have been told is a map of this land. They have only to look around them to see some part of the land itself. We know this land and love it. We know the mountains and green valleys that lie in the northern part; we know the red hills and gentle slopes in the centre; we know the wide forest plains in the southern part. It is all Georgia, from the mountains to the sea. It does not even stop at the water's edge, but extends into the great Atlantic Ocean three miles beyond the line of white breakers that roll upon the shore of the islands along our coast.

Upon this land are great cities, busy towns and villages, and fertile fields. Across this land in every direction extend lines of railroad, and through its length and breadth are churches and school-houses. Within the boundaries of this

land live nearly two million people, skilled in the arts of civilization, and united for the protection of their liberty, their lives, and their property in one political body or civil society, called the State of Georgia, "the Empire State of the South."

This land was not always called Georgia, and it was not always inhabited by the people that now crowd its cities and towns and cultivate its fields. About four hundred years ago it not only had no such name, but even its existence was not

HOME LIFE OF THE SAVAGES.

known to the civilized world. As late as two hundred years ago it was almost unbroken forest, and the people who inhabited it were savages, who built no cities, had no written language, knew nothing of their own past history, and who led a wandering life in the solitude of the great forests which covered this land. The story of how that unbroken wilderness became the Georgia of to-day is of interest to every Georgian.

This is the story which the students of this book have before them.

The voyage of Christopher Columbus in 1492 proved to the people of the Old World that land lay beyond the great Atlantic, although Columbus himself believed this land to be India, and called the savages whom he found here, Indians. He died still believing this. One of his friends, however, Americus Vespucius, who explored the coast of South America, became convinced that it was not India, but in fact a new continent. Upon his return Americus wrote a description of that continent, which he called the "New World." The scholars who read his description and were convinced of the truth of his opinions called this new world the land of Americus, or America.

The news of the discovery spread rapidly over Europe and created excitement among all classes of people. Every civilized nation fitted out ships and sent them across the Atlantic on voyages of discovery. England sent John Cabot and his son Sebastian, who reached Labrador and explored the coasts as far south as Cape Hatteras; France sent Verrazano; Spain, Portugal, and Holland sent many explorers who followed in the path of Columbus, visiting the West Indies, South America, Mexico, and Central America, and even sailing around the world.

Among those who accompanied Columbus on his second voyage was Juan Ponce de Leon, a Spanish nobleman. He heard from the natives of the West India Islands of a great land lying to the north which they called Bimini, and in which was a wonderful fountain whose waters gave renewed youth to the old and feeble. De Leon told this to the King of Spain, and in 1512, twenty years after the first voyage of Columbus, he received a royal commission "to discover and settle the island of Bimini" in the name of the Spanish crown. Ponce de Leon was delayed until the following year, but in March, 1513, he sailed from the island of Porto Rico,

and steering northward past the Bahama Islands, he came in sight of the mainland of North America on Easter Sunday, the 27th of March, 1513. He named the land Florida in honor of the day, Pascua Florida being the Spanish name for Easter Sunday. A few days later he landed near the present site of St. Augustine, and took possession of the country in the name of the King of Spain. He turned southward, and passing through Florida Straits sailed up the western coast to a bay south of Tampa Bay. The curve of the coast convinced him he had discovered another island like Cuba. He then returned to Spain, and received from the king a new patent to conquer and settle the "island of Bimini and the island of Florida."

He did not conquer the natives, however, nor plant a colony, nor find the Fountain of Youth. Eight years passed before he attempted a settlement, and then he was himself wounded in a contest with the savages, and returned with his followers to Cuba, where he died very shortly from his wounds. He had not entered the territory that is now called Georgia, but his visit is of interest to us because it gave to our land the name Florida, the first name which was given it, and the name by which it was known in Europe for more than a hundred years.

In 1520, seven years after Ponce de Leon gave its first name to this country, an expedition was sent out by Lucas Vasquez de Ayllon, a wealthy Spaniard, from the island of San Domingo. Joining with another ship on the way, the expedition landed on the coast of what is now South Carolina, near the present site of Port Royal. The Indians were friendly, and a number were induced to come on the ships, where they were held as prisoners and carried to San Domingo to be sold as slaves. De Ayllon had the prisoners released, and four years later he sent two ships, under the command of Pedro de Quexos, to the newly discovered land. Pedro de Quexos succeeded in regaining the friendship of the natives, and explored the Atlantic coast for many miles, including the present coast

of Georgia. No permanent settlement was made, but it is almost certain that the men attached to this party were the first white men who set foot on our soil.

About the time that the second expedition was sent out by De Ayllon, the King of Spain sent another expedition, consisting of a single vessel under the command of Stephen Gomez, with instructions to sail northward and ascertain if any western passage could be found through the continent south of Newfoundland and Labrador. Gomez reached the Labrador coast, and turning southward he explored the whole Atlantic coast of the United States. He proved that Florida was not an island, and the land of De Ayllon was not a new continent, but that both were parts of the same mainland that Ponce de Leon had discovered and named Florida. From his reports a map was prepared in 1529, by Ribero, who was employed by the King of Spain, and this map is the first that shows any knowledge of Georgia's coast line.

QUESTIONS.

What is the name of that part of the land upon which we live? What can you say of our love for this land? What can you say of the extent of it? What do we find upon the land? How many people live within its boundaries? Why are they united? What do they make? What can you say of this soil four hundred years ago? Who lived here as late as two hundred years ago? What can you say of Christopher Columbus? Why was this country called America? Mention some other explorers in the New World. Who came with Columbus on his second voyage? What land did he seek to explore and settle? When did he discover the mainland, and how did he name it? What can you say of his efforts to colonize the land? Why is his visit of interest to us? What expedition was sent over in 1520? Where did they land? What expedition was sent out four years later, and what did they explore? What expedition was sent out by the King of Spain? What of the exploration of Gomez? What did he prove? What map was prepared in 1529?

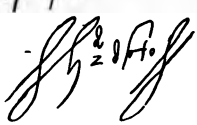
TOPICS.

1. The land of Georgia.
2. The State of Georgia.
3. Prehistoric condition.
4. Story of De Leon.
5. Expeditions of De Ayllon.
6. Travels of Gomez.

CHAPTER II.

DE SOTO.—THE MARGRAVATE OF AZILIA.

"Nature has not blessed the world with any tract which can be preferable to it. Paradise with all her virgin beauties may be modestly supposed at most but equal to its native excellences."—ROBERT MONTGOMERY, 1717.



OF the many adventurers who visited and explored all parts of the New World, probably the only one who marched through the forests of Georgia was Hernando de Soto. De Soto landed in Florida in 1539. He had with him six hundred brave soldiers, two hundred horses, a number of fleet greyhounds and savage blood-hounds, and also a drove of hogs which he intended to use for food.

Travelling northward he entered the region of Georgia, and we have records of his marching through Irwin or Coffee County. From thence he went in a northeasterly direction through Laurens County; then crossing the Ogeechee River and Briar Creek he camped on the Savannah River, probably at Silver Bluff, a few miles below the present city of Augusta. During the march his soldiers searched everywhere for gold, breaking into wigwams, temples, and even the graves of the Indians. They suffered for food. At one village an Indian chief sent them a present of partridges, corn, and turkeys. He also

gave them some dogs, and these were killed by the soldiers and eaten with great relish.

When De Soto reached the bank of the Savannah River he was received by a beautiful Indian princess. She came across the river in her canoe and welcomed him. She took from her own neck a string of pearls and hung it around the neck of De Soto in token of friendship. She gave him many shawls and dressed skins for clothing. De Soto was moved by the beauty and kindness of the princess, and taking from his finger a ring of gold set with a ruby, he placed it on her finger.

At Silver Bluff the Indians brought in a dagger and a rosary, both of Spanish make, which proved that some Spanish party had visited the land before him. Historians agree that these were left by De Ayllon's second expedition, which had explored this coast sixteen years before.

De Soto was hospitably treated by these Indians, but he did not return their kindness. He took from them basketfuls of pearls, and treated them with cruelty. When he left, he took the beautiful princess a captive, and compelled her to go, on foot, ahead of his army. He proceeded up the Savannah River for some distance. At a point believed to be in the present county of Habersham, he turned westward and crossed northern Georgia to the Indian village Chiaha. This village was at the junction of the Oostanaula and the Etowah, where the city of Rome now stands. During the last march before he turned west, the Indian princess escaped from De Soto, taking with her a large box of rare pearls.

After leaving Georgia, July 2, 1540, De Soto continued his march until he came to the banks of the Mississippi River in 1541. He crossed the river, and after wandering in the swamps he was seized with fever, and died in May, 1542. His followers concealed his death from the Indians, and carrying his body at night, weighted it with stones and dropped it into the waters of the great river he had discovered. Only forty of all the six hundred men lived to return to their homes in Spain.

Everywhere on his march De Soto found the red men, whom Columbus had named *Indians*. They were a rough, ignorant, warlike race, of brown or red color, with high cheek bones and long, coarse hair. The men, when they were not at war, spent their time fishing and hunting, while the women cultivated patches of maize or Indian corn. They lived in small villages of skin-covered huts called wigwams,

MARCH OF DE SOTO.

scattered about through the woods and on the banks of the streams, where game and fish were plentiful. The Indians were not many in number. Probably not more than ten thousand were in all Georgia at that time.

The explorations of De Soto confirmed Spain's title to the lands that we now call Georgia. If he had settled his followers on those lands instead of pushing west in search of some mighty empire to conquer, he would have founded here a

great Spanish-American state with a Spanish-speaking people. Through his failure to do so, Spain lost her claim to this soil, and more than twenty years passed before another visit was made to our shores by colonists with a view to settlement.

The next visit was made by a French company of Huguenots sent out by Admiral Coligny, who was himself a Huguenot, and who thought to find religious freedom for them in the wilds of America. This expedition was under the command of John Ribault, who explored our entire sea-coast from the St. John's River to Port Royal. He gave French names to all of our rivers. The St. Mary's he called the Seine; the Satilla, the Somme; the Altamaha, the Loire; the Newport, the Charante; the Great Ogeechee, the Garonne; and the Savannah, the Gironde.

His descriptions of our coast are most glowing. He finally built a fort and planted his colony where Port Royal now stands. The fort was called Fort Charles, but was abandoned two years later, and a new fort, called Fort Caroline, was built at the mouth of the River St. John, then called the River May.

Spain was alarmed by these French settlements, and in 1565 sent a large force under Menendez to settle Florida. After founding St. Augustine and fortifying it, he surprised and murdered the French at Fort Caroline, and left a Spanish garrison there. Shortly after, a party of French, in retaliation, recaptured the fort and murdered the Spanish garrison, but did not attempt to hold the country. After this, Spain held peaceably, for a hundred years, the lands that are now Georgia, and the Spanish governors at St. Augustine sent mining parties into the Cherokee country to work the gold mines. Juan Paedo built a fort there, and the mining continued twenty years after Charleston was founded. The ruins of the fort, and mining tools of iron, were found by the early white settlers of North Georgia after the removal of the Cherokees.

England's claim to the territory was founded on the explo-

rations of the Cabots in 1497 and 1498, but for more than one hundred years no attempt was made to enforce this claim. In 1663 Charles II. granted all the land lying along the Atlantic coast, between the thirty-sixth and twenty-ninth degrees of north latitude, to eight noblemen, called the Lords Proprietors of Carolina. All the land in the present State of Georgia was included in this grant, and from that date was called Carolina by the English, though no attempt was made to settle the lands west of the Savannah River.

The permanent English settlements at Charleston and along the Carolina coast established England's claim to Carolina, while the permanent Spanish settlement at St. Augustine had established Spain's title to Florida; but no agreement could be reached as to the dividing line between Carolina and Florida. The northern line of Florida was not fixed until 1763, one hundred years after the grant to the Lords Proprietors, when Spain ceded all Florida to England.

The first effort to colonize the territory of Georgia was made by Sir Robert Montgomery in 1717, who secured from the Lords Proprietors of Carolina a grant of the land lying between the Savannah and Altamaha Rivers. It was to be called the Margravate of Azilia, and was to be a part of Carolina. Sir Robert was to pay a rental of one penny an acre for all lands occupied, and to give the Lords Proprietors one-fourth of all the gold, silver, and precious stones found there.

The most glowing accounts of the wonders and beauties of Georgia were written. Nowhere in the world could be found such beautiful woods and meadows, such rich mines and fields, such a soft climate and fertile soil. But these accounts did not attract settlers south of the Savannah River, and the red men of the forests remained the only inhabitants of Azilia, until a nobler man, with a loftier aim than Sir Robert, came to make its shores the home of the unfortunate.

[When General Oglethorpe came to America and went up the Savannah River, he took with him the journal of Sir Walter Raleigh. From the latitude and marks of the place he was led to believe that Sir Walter had been there before him, had landed at Yamacraw and had talked with the natives. He was told that about half a mile from the bluff there was a grave of an old chief who on his death-bed said: "Bury me on the place where I talked with that great, good man from over the sea."]

[To show the number of pearls taken by De Soto's men from the Indians of Georgia, it is related that one day a foot soldier called to a horseman who was his friend and offered him a linen bag of pearls weighing six pounds, saying: "You may have these if you will. I am tired of carrying them." The horseman refused the offer, telling the soldier to keep the jewels for himself. But he replied: "If you will not have them, I will not carry them longer. They shall remain here." So saying, he untied the bag, whirled it around his head, and scattered the pearls in every direction among the thickets and grass.]

QUESTIONS.

Who landed in Florida in 1539? What did he bring with him? What of his march through Georgia? Tell what they searched for. What of the Indian princess? What did the Indians bring in at Silver Bluff? How was De Soto treated by the Indians? How did he treat them? Where did the army march after leaving Silver Bluff? What river did he reach in 1541? Describe his death and burial. How many of his followers returned to Spain? Describe the Indians whom De Soto met. What if De Soto had settled on this land? Who made the next visit? What names did he give to the rivers? How did he describe our coast? On what was the English claim to the territory of Georgia founded? What charter was granted in 1663? What did this territory embrace? Who made the first effort to colonize Georgia? What was it to be called? Give a description of it. Did the effort succeed?

TOPICS.

Let the pupil tell—

1. The story of De Soto's march.
2. The story of Ribault's travels.
3. Of the Spanish occupation.
4. How Georgia was first a part of Carolina.
5. About the Margravate of Azilia.

EPOCH II.

Georgia under the Trustees.

CHAPTER III.

WHY AND BY WHOM GEORGIA WAS SETTLED.

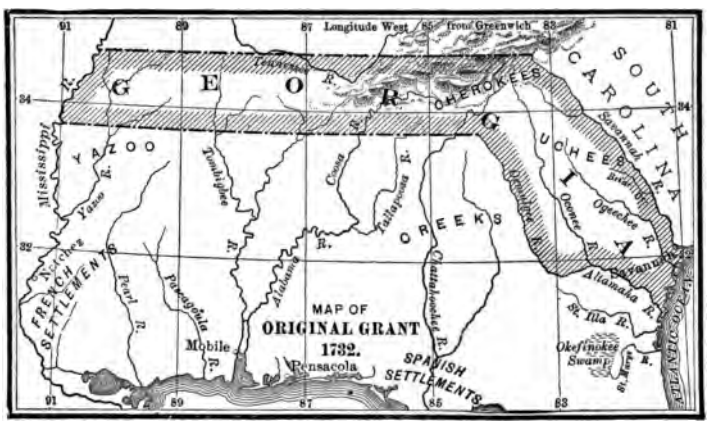
"Many of our poor subjects are, through misfortune and want of employment, reduced to great necessity, insomuch as by their labor they are not able to provide a maintenance for themselves and families; and if they had means to defray their charges of passage and the expenses incident to new settlements, they would be glad to settle in any of our provinces in America, where, by cultivating the lands at present waste and desolate, they might not only gain a comfortable subsistence for themselves and families, but also strengthen our colonies and increase trade, navigation, and wealth of these our realms."—*Extract from Charter of Georgia.*

JAMES EDWARD OGLETHORPE.

MANY years ago it was the custom in England to imprison people for debt. These debtors' prisons, as they were called, were often the scenes of suffering, injustice, and cruelty. The way in which they were managed finally became so bad that it attracted public attention, and the British Parliament appointed a committee to investigate and reform the condition of the prisons of England.

The chairman of this committee was James Edward Oglethorpe, a member of Parliament and the author of the resolution under which the committee was appointed. He

was a good and wise man. In his visits to the prisons his heart was touched by the sufferings of the unfortunate debtors. He saw that these poor men could not possibly earn money to pay their debts while they were shut up in prison. Even if released it was not probable that they would succeed in life better than before. All the land in England belonged to the rich, and a poor man, although willing to work, had no right to plant this land and raise food for his family. He thought of the great tracts of land lying idle on the shores of America. On these lands the poor



debtors could build homes, and from this fertile soil they could support their families. He enlisted several other noblemen in his plans, and induced them to unite with him in a petition to the king, asking for a grant of land in "his Majesty's Province of America," where they could colonize many of the worthy and honest poor people living in and near the city of London.

The petition was granted, and the charter for a colony received the great seal of England, June 9, 1732. The territory granted was that part of South Carolina west of the

Savannah River. It included all the land between the Savannah and Altamaha Rivers, from the Atlantic coast to the headwaters of these streams, and thence extended westward to the "South Seas," or Pacific Ocean. The name of *Georgia* was given to this province in honor of George II., who was then king of England.

The reasons for locating the colony in this place were to protect the frontier of Carolina from the ravages of the Indians, and to take possession of soil that was disputed by the English and Spanish. Oglethorpe also heard that mulberry-trees grew along the Savannah River, and that the climate was suitable for the silkworm. He believed that a fine quality of raw silk could be raised in Georgia by colonists, who could thus find means of earning a living and save to England vast sums of money paid to foreign countries for silks. So firmly did he believe in this that he resolved to send to Italy for persons to teach the colonists how to feed the worms and wind the threads from the cocoons.

SEAL OF THE TRUSTEES.

The charter created a board of trustees, called *The Trustees for establishing the colony of Georgia in America*, for a term of twenty-one years, with the power of buying and selling lands, of having a seal, of making laws, and of establishing courts for the government of the new colony. They were given power to send foreigners and subjects of Great Britain to Georgia and to grant them lands, not over five hundred acres to each person, for which no rent should be paid for ten years. On

the reverse of the seal of the Trustees was the motto "*Non sibi sed aliis*," which means, "Not for themselves but for others." A clear impression of this side cannot be found. The picture on the preceding page shows the front or obverse side of the seal, and the Latin inscription, "*Colonia Georgia augeat*," meaning, "May the Georgia colony flourish."

Having received the charter, the Trustees met and made rules for the settlement and government of the new province. They resolved to grant only fifty acres of land to each man and his family. Land was granted for life only, and when a man died his sons inherited it. The condition was also put in the grant that the land must be cleared, planted, and a house built by a certain time, or the right to it would be lost. It was required that a hundred white mulberry trees should be planted on every ten acres. The Trustees also prohibited the sale of rum and the use of negro slaves in the colony. The Trustees asked for gifts of money to aid the enterprise. The responses were liberal. Even Parliament gave £10,000 to help them in their noble purpose.

The Trustees also offered inducements to men of means to join the colony. To a man of good character who would pay his own expenses and bring with him ten able-bodied men-servants over twenty-one years of age, the Trustees agreed to grant five hundred acres of land, which could not be sold, but descended to his male heirs. A rental of twenty shillings a year was to be paid for every hundred acres, but the payments were not to commence for ten years. Within the ten years each person was to clear and cultivate two hundred of the five hundred acres of land, and to plant two thousand white mulberry trees. Persons having land under this grant must live in Georgia at least three years, and could not leave the province without permission of the Trustees.

It may seem strange that parties receiving land were not permitted to mortgage or sell it, and that the land descended only to the male heirs, but it must be remembered that the

object of the Trustees was to secure a large number of male citizens who could be relied upon for the defence of the colony. Every settler was a soldier, and was required to do military service.

A great many persons were anxious to join this colony. Many were rejected. No debtor was taken without the consent of the creditor; no criminals or wicked persons were accepted; no man was received who would leave a wife or little children depending on him for support. The debtor prisons were carefully examined, and the worthiest of these unhappy people were taken. Four months were devoted to this work, and the best people among the needy population of England were chosen to be the first settlers of Georgia.

The plans for sailing were made with care. November 17, 1732, the ship *Anne* (pronounced *an*), which bore the company with Oglethorpe at its head, weighed anchor and dropped down the Thames River. On board were thirty-five families, containing one hundred and thirty persons, bound for the New World.

The voyage was long, taking two months and seven days. Prayers were offered every morning and night that no accident or misfortune should overtake them. At length, January 13, 1733, their hearts were gladdened by the sight of land. They had reached the harbor of Charleston. The governor of South Carolina gave them a hearty welcome, and furnished a pilot to conduct them to Port Royal harbor. The next morning they continued their voyage, and on the 19th landed at Beaufort-town, where they were saluted by the artillery.

[James Edward Oglethorpe belonged to an ancient family in England. He was called "a gentleman of unblemished character, brave, generous, and humane." He was born in 1689, and when a young man left college to begin the life of a soldier.

Oglethorpe soon became an ensign of the English army, then a lieutenant of the first troop of the Queen's Life Guards. Going abroad, he enlisted under Prince Eugene, and finally became his *aide-de-camp*.

When he returned to England he entered upon very wealthy estates, and began political life. He was in Parliament for thirty-two years, and was the friend of the unfortunate and oppressed. His scheme to found a colony for poor debtors in Georgia will ever endear him to the hearts of all true philanthropists. No colony in America can point to a founder in whose character are more unselfish and generous qualities than are found in James Oglethorpe, the father of Georgia.

"To see a gentleman of his rank and fortune visiting a distant and uncultivated land, with no other society but the miserable whom he goes to assist, exposing himself freely to the same hardships to which they are subjected, in the prime of life, instead of pursuing his pleasures or ambition on an improved and well-concerted plan from which his country must reap the profits, at his own expense and without a view or even a possibility of receiving any private advantages from it, must give every one who has approved and contributed to the undertaking the highest satisfaction ; must convince the world of the disinterested zeal with which the settlement is to be made, and entitle him to the truest honor he can gain—the perpetual love and applause of mankind."]

QUESTIONS.

What can you say of debtors' prisons ? What did Parliament do ? Who was on this committee, and what did he think ? What petition was made, and for what ? When did the charter of Georgia receive the Great Seal ? What was the first object ? Describe the territory granted. Why was the province called Georgia ? Mention two other reasons for locating the colony on the Savannah River. What can you say of Oglethorpe's hopes for silk culture ? What powers were given the Trustees ? What motto did the seal contain ? What were some of the rules made by the Trustees ? What did the Trustees ask for ? And what did Parliament give them ? Who were rejected and who received as emigrants ? When did the emigrants sail ? How many were on board ? Who was with them ? When and where did they sight land ?

TOPICS.

Tell about—

1. Debtors' prisons.
2. Oglethorpe's plans.
3. What was granted him.
4. The charter of Georgia.
5. The seal of the Trustees.
6. The rules for the new colony.
7. How the colonists were chosen.
8. The voyage across the Atlantic.

CHAPTER IV.

WHERE AND WHEN GEORGIA WAS SETTLED.

"The earth is so fertile that it will bring forth anything that can be sown or planted in it, whether fruits, herbs, or trees. There are wild vines which run up to the tops of the tallest trees; and the country is so good that one may ride full gallop twenty or thirty miles."—*Journal of Baron von Reck, 1734.*

TOMOCHICHI AND HIS NEPHEW

LEAVING the emigrants to rest, after their long voyage, in homes provided by the good people of South Carolina, Oglethorpe took a few friends and set out in an Indian canoe to find a site for his colony. He wound in and out among the small islands at the mouth of the Savannah River, and at length rowed up to a high bluff eighteen miles from the sea. Here he found a village of Yamacraw Indians and a Carolina trading-house. An old Indian chief and warrior, Tomochichi, looked on him with some distrust, and at first would not come near him. Oglethorpe found an Indian woman who could speak English, and through her told the Indians that he meant peace and

friendship. Tomochichi then welcomed him, and promised his aid and protection to the colony.

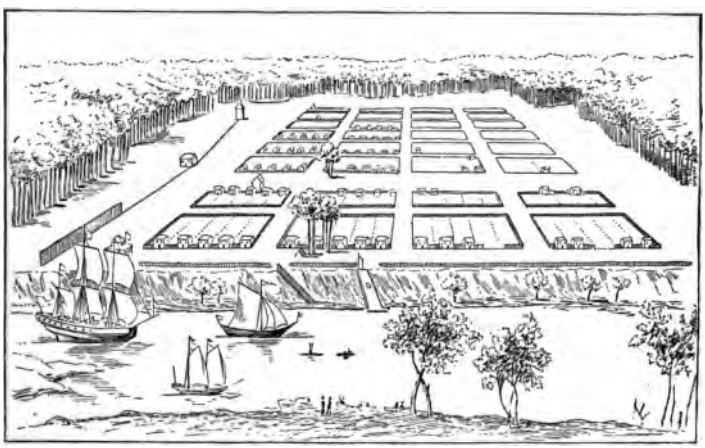
Oglethorpe returned to Beaufort for the colonists, and February 12, 1733, they arrived at Yamacraw Bluff. On landing they all knelt down to offer thanksgiving and prayer to God. They then brought their goods ashore, pitched four large tents, and spent their first night in Georgia. Rising early next morning they began work. Trees were cut down, clearings made, and cabins built. In a few weeks fields had been planted, forts had been built, and everything looked like a busy, thriving colony. The city thus begun was named Savannah, after the river on which it was situated. Oglethorpe pitched a tent for himself under four pine-trees, and lived in it for nearly a year. His goodness and wisdom so won the hearts and confidence of the colonists that they called him father.

Oglethorpe sent word to the chiefs and warriors of the Indian tribes near Savannah that he wished to make a treaty of peace and friendship with them. The head men of eight tribes came to Savannah, where they were loaded with presents. Many useful articles, such as hatchets, hoes, hats, and clothing, were given to them, but they admired the gold beads and cheap jewelry more than anything else, and were especially pleased with gazing at themselves in the looking-glasses. After feasting and dancing, they made a solemn treaty of peace and good-will, binding themselves not to molest the colonists in any way whatsoever. Oglethorpe was always kind to the Indians, and one of them said: "We love him because he has given us everything that we want and he has. He has given me the coat off his back and the blanket from under him."

After the treaty was made, Tomochichi said to Oglethorpe, "Here is a little present," and then gave him a buffalo-skin with the head and feathers of an eagle painted on the inside. He asked him to accept it, saying: "The eagle means speed,

and the buffalo means strength. The English are as swift as the bird and as strong as the beast. Like the first, they fly from the utmost parts of the earth, over the vast seas; and like the second, nothing can withstand them. The feathers of the eagle are soft and mean love; the buffalo's skin is warm and means protection. Therefore, love and protect our little families."

Oglethorpe thought it would be wise, however, to build a fort in the heart of the Indian country, eighteen miles from



ORIGINAL PLAN OF SAVANNAH.

Savannah, on the Great Ogeechee River. He selected a place where the Indians in their excursions against Carolina had been accustomed to ford the stream, and named the fort Argyle. This was the second settlement of white people in Georgia. In addition to the soldiers, ten families were sent down to build dwellings and cultivate the land around the fort.

In a few months emigrant ships began to arrive from England and elsewhere. The first of these, commanded by Captain Yoakley, brought needed supplies of food, clothing, and tools, and was given the prize of a gold cup offered by the

Trustees for the first ship unloading at Yamacraw. The next one brought over two hundred and fifty emigrants. This was so large an addition to the town that in July, 1733, the colonists met on the bluff to enlarge the limits of Savannah, to lay off lots, to run streets and name them. Some of the streets in Savannah still bear the names given them on that day. While they were engaged in this work another ship came up the river and landed forty Israelites, who asked permission to join the colony. This was granted.

Eight months afterward a ship arrived at Savannah, bringing a band of Salzburgers, who had been cast out of Germany on account of their religion. They were warmly welcomed by the colonists. Finding a place that suited them, they settled on the banks of a small creek flowing into the Savannah River, twenty-five miles above the city. They named their town Ebenezer, which means "stone of help." That place is now in Effingham County.

Fifteen months had now passed since the first landing at Yamacraw. During that time Savannah was laid out and improved; Fort Argyle was built; Abercorn, Highgate, and Hampstead were settled as small villages on the Savannah River; Ebenezer was founded, and a light-house was built on Tybee Island. Farms were started, silk-growing was commenced, and although everything was in the rough state of a new colony, on all sides could be seen thrift and happiness.

* [Tomochichi was the noble and aged chief of the small tribe of Yamacraw Indians. He belonged to the tribe of the Lower Creeks, but they had banished him, along with others, for some political cause. He had settled with them near the mouth of the Savannah River, and by them was chosen Mico or chief. He was ninety-one years old, but tall, vigorous, dignified, and manly. He was a true friend to the colonists, and aided them in making treaties with other tribes of Indians. Let us not forget that while Oglethorpe deserves every praise as the leader of the colonists, yet this aged Indian chief made the colony possible by his guarantee of safety and friendship to the colonists, and to him is due the lasting gratitude of their descendants.]

[During the years from 1729 to 1732 nearly thirty thousand German Salzburgers were driven from their homes by the persecutions of Leopold on account of differences in religious belief. Some of these wanderers engaged the sympathies of the Trustees, who offered homes to them in the colony of Georgia. Forty-two families agreed to come, Baron von Reck leading them. They left Dover December, 1733, and reached Charleston in March, 1734. Oglethorpe happened to be there at the time, and welcomed them. They desired to settle somewhere, at a distance from the sea, in a hilly country where there were springs of water. They selected a spot forty miles from the ocean, where they could rest and worship God according to the ways approved by their own conscience.]

QUESTIONS.

What did Oglethorpe now set out to find? What did he find at Yamacraw? What can you say of Tomochichi? When did the colonists land at Yamacraw? What was first done? What was done the next day? What was the city named, and why? What did Oglethorpe pitch for himself? What did the colonists call him? What treaty did Oglethorpe make? What did the Indians think of Oglethorpe? What did Tomochichi give Oglethorpe, and what did he say? What fort was built soon after? Where, and why? What emigrants arrived soon after? After the arrival of further emigrants, what was done? Who asked permission to join the colony? By whom was Ebenezer settled? What was the condition of Georgia after fifteen months?

TOPICS.

Georgia was founded—

Why? { As a relief to debtors and worthy poor. / To colonize disputed territory. / To encourage silk-growing.

By whom? { Oglethorpe. / The honest poor of England. / The worthy imprisoned debtors.

Where? { Savannah. / Fort Argyle. / Ebenezer.

When? February 12, 1733.

(*Let the pupils write a composition from the above outline.*)

CHAPTER V.

HOW THE COLONY GREW.

"So sweet the air, so moderate the clime,
None sickly lives, or dies before his time;
Heaven, sure, has kept this spot of earth uncurst
To show how all things were created first."

—WALLER.

JOHN WESLEY.

AFTER an absence of fifteen months Oglethorpe resolved to visit England. He invited Tomochichi, his wife and nephew, and several chiefs to go with him. When they reached England, Oglethorpe was welcomed by the Trustees and people with every mark of affection and regard. The Indians excited a great deal of interest and were well cared for. They were given suits of clothing and presents of many kinds, were entertained by the nobility, and were presented to the king. Tomochichi gave the king a bunch of eagle feathers, saying: "These are the feathers of the eagle, which is the swiftest of birds, and which flieth all around our nations. These feathers are a sign of peace in our land, and have been carried from town to town there, and we have brought them over to leave with you, O great King! as a sign of everlasting peace." The Indians were much impressed with the riches of the people of England, and especially with the strength of their houses. Tomochichi said that he could not understand why people

who would live so short a time should build houses that would last so long.

After a visit of four months the Indians returned to Georgia, but Oglethorpe stayed in England to attend to some business for the colony. In January, 1735, Oglethorpe sent over a colony of Swiss and Moravian emigrants, who settled near Fort Argyle on the Ogeechee River. He also decided to found a town for a number of Scotch Highlanders who wanted to come to Georgia. A band of these hardy mountaineers sailed from Scotland in January, 1736, and settled on the Altamaha River. They named their town New Inverness and the district Darien. Upon their arrival in Savannah some of the Carolinians had tried to dissuade them from going so far south, saying: "The Spaniards from the houses in their forts will shoot you upon the spot chosen for your future home." The brave Scotch replied: "Why, then we will beat them out of their forts, and shall have houses ready built to live in."

In 1736 Oglethorpe returned, bringing two hundred and twenty-five persons and two ship-loads of supplies. One hundred and twenty-five settlers were Germans, and were sent to Ebenezer. Twenty-five Moravians were added to the settlement of Fort Argyle on the Ogeechee River. John and Charles Wesley came with Oglethorpe on his return to Georgia for the purpose of preaching the Gospel. Both of them went back to England after a short period.

A colony was next established in February, 1736, on St. Simon's Island, at the mouth of the Altamaha River. It was called Frederica, in honor of Frederick, Prince of Wales. A fort was built there for the defence of the colony on the south.

Oglethorpe went up to Ebenezer to visit the Salzburgers. They had moved to a new place called New Ebenezer, nearer the Savannah River, where he found their colony in fine order. These Germans were a hard-working people who were sure to prosper. He went over to New Inverness to visit the Scotch Highlanders. As a compliment to them he wore a plaid suit.

The captain of the settlement wanted Oglethorpe to sleep on the bed in his tent, but Oglethorpe excused himself, and though the weather was cold, lay down in front of the guard fire all night.

Wishing to know more of the coast of Georgia, Oglethorpe and a party of friends, with several Indians, explored the islands south of St. Simon's. They visited Jekyl Island, and built a fort on its northern side. The next island an Indian of the party wished named for the Duke of Cumberland. A fort was built here also and turned over to the Highlanders. The next was a beautiful island, which Oglethorpe named Amelia. The knowledge of the coasts served Oglethorpe well in troubles with the Spaniards, which came on soon afterwards.

MAP SHOWING THE FORTS ALONG THE ATLANTIC COAST.

By orders of Oglethorpe, a military post was marked out and established far up the Savannah River in 1735. It was called Augusta in honor of one of the royal princesses. This was the beginning of the present city of Augusta. Roger de Lacey, an agent among the Indians, was the first settler. This place soon grew into importance as a centre for Indian trade.

Four years had now passed. The Trustees had sent to Georgia over one thousand persons. Fifty-seven thousand

acres of land had been granted. Five principal towns had been built, viz.: Savannah, New Ebenezer, New Inverness, Frederica, Augusta. Forts had been erected on the islands of the coasts, and along the Altamaha River. Treaties had been made with the Indians, and their friendship obtained. So far all was going well with the new colony of Georgia.

Let us turn aside from the thriving colony of Georgia, and take a view of the general condition of the New World at this time. We see a narrow semicircle of scattered European settlements stretched along the Atlantic Ocean. The vast interior of America was all a wild, unknown country, inhabited by tribes of Indians. Over a hundred years before Georgia was founded, the English made their first permanent settlement at Jamestown, Virginia; the Pilgrims landed at Plymouth Rock and founded Massachusetts; Maryland was also occupied by the English, as well as New Hampshire, Connecticut, Rhode Island. The Dutch landed on Manhattan Island and laid the foundations of the State of New York. The Danes and Swedes settled in New Jersey and Delaware, and the Quakers, led by William Penn, founded the State of Pennsylvania. Explorers from Virginia crossed the border and began the colony of North Carolina, which was followed thirty years later by the settlement of South Carolina. To these twelve colonies Georgia was joined as the thirteenth, and on that account has been called "the last of the Original Thirteen."

[The voyage of Oglethorpe with the Salzburgers and Moravians was long and stormy. On one occasion the sea broke over the vessel from stem to stern, burst through the windows of the state cabin, and drenched the inmates. A week later another storm occurred, and one of the waves came near washing John Wesley overboard. In all these storms and dangers the Moravians were calm and unterrified. The tempest began on Sunday, just as they had commenced their service. The sea broke over the ship, split the mainsail, and poured down into the vessel. The English screamed, but the Germans sang on. "Were you not afraid?" said Wesley to one of them. "I thank God, no." "But

were not your women and children afraid?" "No," he replied; "our women and children are not afraid to die." Mr. Wesley afterward said that the example of these Moravians exerted so good an influence over him as to make him doubt if he were really converted before he met them.]

[Previous to the establishment of Augusta, as early as 1716, there was near this point a Carolina trading-station called Fort Moore, or Savannah Town. It was named for the tribe of Sawanno or Savannah Indians, living near by. It was on the Carolina side of the river, about four miles below the present town of Hamburg. Goods were brought by land and water from Charleston. A laced hat was exchanged with the Indians for eight buckskins; a calico petticoat for twelve buckskins; and so great was the desire for salt, gunpowder, kettles, rum, looking-glasses, that the traders were allowed to exact of the savages all they were willing to give in exchange.]

QUESTIONS.

What did Oglethorpe now resolve to do? Whom did he invite to go with him? How were the Indians treated? What did Tomochichi say to the king? How long did the Indians stay in England? Whom did Oglethorpe send over in January, 1735? What can you say of the Scotch Highlanders? Whom did Oglethorpe bring with him on his return? Where did they settle? What two men came over to preach the Gospel? When and where was Frederica established? What two places did Oglethorpe visit? What of his explorations along the coasts? When and where was Augusta established? What can you say of the condition of the colonists after four years had passed? What was the condition of European settlements in America at this time? Name the twelve States founded before Georgia. What is Georgia often called?

TOPICS.

First Settlers. Where?	*First Settlements. By whom?*
English.	Savannah.
Swiss and Moravians.	Fort Argyle.
Scotch Highlanders.	Ebenezer.
Salzburgers.	Frederica.
Jews.	New Inverness.
	Augusta.

CHAPTER VI.

TROUBLE WITH THE SPANIARDS.—OGLETHORPE INVADES FLORIDA.

"One man there is, my Lords, whose natural generosity, contempt of danger, and regard for the public prompted him to obviate the designs of the Spanish and to attack them in their own territories; a man whom by long acquaintance I can confidently affirm to have been equal to his undertaking, and to have learned the art of war by a regular education, who yet miscarried in the design only for want of supplies necessary to a possibility of success."—DUKE OF ARGYLE (speaking of Oglethorpe).

THE Spaniards had not given up their claim to the territory of Georgia. As the English colony grew larger and built forts on the islands and along the rivers, the Spaniards in Florida became more and more jealous. Finally the king of Spain sent a message to the king of England to allow no more forts to be built in Georgia and to send no soldiers there. When this message was read in the King's Council, the Duke of Argyle said: "This should be answered, but not in the usual way—the reply should be a fleet of battle-ships on the coast of Spain." Spain threatened to invade and put an end to the colony of Georgia. England then declared war, October, 1739.

Fearing that the French and Spanish would alienate the good will of the Indians, Oglethorpe decided to go in person to a great meeting of the warriors at Coweta Town, three hundred miles from Savannah. Seven thousand warriors were to be present, and the safety of Georgia depended on their friendship. The journey was long and dangerous, but Oglethorpe did not allow the perils to deter him. With a few chosen friends he set out in July, 1739. Following the river for twenty-five miles, the party landed and submitted to the

guidance of Indian traders. Across deep ravines, through tangled undergrowth and deep swamps where the horses would mire up, the travellers toiled for many weary weeks. Often they had to build rafts on which to cross the streams. The smaller ones they swam or waded through. At night Oglethorpe would wrap himself in his cloak, lay his head upon his saddle, and sleep on the ground. If it happened to be wet, he sought shelter under the trees or under tents made of cypress boughs. For over two hundred miles they neither saw a human dwelling nor met a living soul. At their journey's end the Indians met them with every expression of love and joy.

Oglethorpe soon won the hearts of the red men, and he made firm treaties of peace and friendship with them. As one of their beloved men, he drank of their black medicine and smoked the calumet, or pipe of peace. The importance of this treaty, in view of the approaching troubles with the Spaniards, cannot be overestimated.

The Spaniards began the war by landing a party of men on Amelia Island and killing two unarmed men who were engaged in carrying wood. After cutting off the heads and mangling the bodies of the men, they fled to their boats and sailed away. Oglethorpe called out a thousand soldiers and a troop of horse, and with a regiment of Highlanders went in pursuit of the Spaniards. He followed them up the St. John's River, burned all their boats, and drove them into the city of St. Augustine. He then returned to Frederica.

Oglethorpe next organized a large force of Indians and colonists to invade Florida, December, 1739. Going up the St. John's River, he sent before him a party of Indian scouts, who fell upon a small fort of the Spaniards at daylight and burned it to the ground. Going further, another fort was attacked and captured. This gave Oglethorpe possession of the St. John's River, and cut off the Spaniards in St. Augustine from their Indian allies.

Oglethorpe made up his mind to attack St. Augustine itself. In May, 1740, he left Frederica with nine hundred men and eleven hundred Indians. He captured first Fort St. Diego, nine miles from St. Augustine, with fifty-seven men and nine cannon. Fort Moosa, two miles from St. Augustine, was abandoned by the Spaniards when they heard of the approach of Oglethorpe, and the garrison retreated to the city.

THE OLD GATEWAY AT ST. AUGUSTINE, FLORIDA.

He summoned the commander at St. Augustine to surrender. The commander replied: "I will be glad to shake hands with Oglethorpe in the castle."

Oglethorpe decided to attack the city both by land and sea. After making all arrangements and drawing the land troops up in order and giving the signal for the attack, it was found that the ships could not get close enough to the city to support

the land forces. Accordingly, the plan of storming the city was abandoned, and a siege was begun.

In order to prevent any help reaching the city, Oglethorpe ordered one of his officers, Colonel Palmer, to take a body of men and scour the country; to be always on the march, showing himself everywhere; to pick up stragglers, cut off all supplies, deceive the enemy as to the strength of his force, and not rest two nights in the same place. Colonel Palmer disobeyed this last order, and stayed three nights at Fort Moosa. The Spanish heard that he was there, and surprised his men early one morning, killing over twenty of them, and recapturing the fort. This opened the way for supplies of food, of which the people already stood in need, to reach the city. Oglethorpe now resolved to storm the city. For twenty days his batteries threw shot and shell into the city. At the end of this time a fleet from Cuba came to the relief of the Spaniards. Moreover, many of his soldiers were sick, the climate was very hot, the Indians were growing restless, and Oglethorpe himself was not well.

The attack on St. Augustine was therefore reluctantly abandoned, and the English returned to Frederica, July, 1740. Oglethorpe had lost only fifty men, while the Spaniards had lost four hundred and fifty men and four forts.

[To show the danger to which General Oglethorpe was exposed, the following story is told of his escape from the murderous designs of the dissatisfied soldiers. When Oglethorpe was on Cumberland Island superintending the building of forts and earthworks, he was one day standing at the door of his hut conversing with an officer, Captain Mackay. One of the soldiers came up and in a rude and impertinent manner demanded more rations. Oglethorpe replied: "We have given you all we promised, which is enough; but if you need more, this rude speech and disrespectful behavior is not the proper way to get it." The man thereupon became very insolent. Captain Mackay drew his sword, but the soldier caught it, broke it in half, and threw the hilt at the captain's head. Rushing to the barracks, he seized a loaded gun, and crying out, "One and all," with five others ran back toward Oglethorpe.

When they had approached quite near, one of them fired, the ball passing close to Oglethorpe's ear, the powder burning his clothes. Another aimed his piece, but it missed fire. A third drew his sword and thrust it at the general, who, having drawn his own sword, parried the thrust. At this time an officer rushed up and ran the ruffian through the body. The others fled, but were caught, tried, and shot for their mutinous conduct and murderous assault.]

QUESTIONS.

How did the Spaniards in Florida feel about the colony of Georgia? What message was sent by Spain to the king of England? How was it answered? When was war declared? Tell the story of Oglethorpe's travels to meet the Indians. What treaty did he make with them? How did the Spaniards begin the war? What did Oglethorpe do? What did Oglethorpe then prepare to do? Of what did he gain possession? How? What were the preparations for the capture of St. Augustine? What forts were captured? Why was not the attack on St. Augustine successful? What did Oglethorpe direct Colonel Palmer to do? How was Colonel Palmer captured? How was the city stormed? Why was the siege abandoned?

TOPICS.

Tell about—

1. The cause of the Spanish War.
2. Oglethorpe's visit to the Indians.
3. The way the Spaniards began the war.
4. The way Oglethorpe continued the war.
5. The way St. Augustine was attacked and relieved.

CHAPTER VII.

THE SPANIARDS INVADE GEORGIA.

"We are resolved not to suffer defeat; we will rather die like Leonidas and his Spartans, if we can but protect Georgia and Carolina and the rest of the Americans from desolation."—OGLETHORPE.

THE Spaniards soon prepared to carry out their threat to put an end to the colony of Georgia, but nearly two years passed before everything was ready. A great fleet of fifty-six ships, with seven thousand men on board, was fitted out at Havana, and set sail for St. Augustine. Oglethorpe heard of it at Frederica, and at once sent a request to South Carolina for troops. He collected all the guns, powder, and cannon of the colony, and called together his Indian allies and a regiment of Highland soldiers. Thus prepared, he fortified his camp at Frederica, and waited for the coming of the enemy. June, 1742, nine of the Spanish ships appeared in Amelia Sound, but were driven away by the guns of the fort on Cumberland Island. They next appeared in Cumberland Sound, but Oglethorpe, with six boats and a hundred men, again drove them off.

A large fleet of thirty-six vessels, with over five thousand men, appeared near St. Simon's Island, June 28th, but made no movement to attack until July 5th. The flood tide then brought the fleet in beautiful array into the harbor. The Spaniards raised the red flag, and landed their troops on the southern end of the island. Here they planted a battery of eighteen guns.

Oglethorpe abandoned Fort St. Simon, having spiked all the guns and ruined all the powder. The troops fell back to Fred-

erica, and made ready to meet the attack of the Spaniards. He had only six hundred and fifty men to oppose the Spanish army.

July 7th, a scout announced a party of the enemy within two miles of Frederica. Oglethorpe sallied forth to meet them in the woods. Taking them by surprise, he killed or captured nearly all the advance force. Oglethorpe took two prisoners with his own hands. Pushing on several miles toward the main body, he laid an ambush in the woods. Before long the enemy came in sight, halted within the defile where the ambush was, and, stacking their arms, some began to cook their meals and others lay down to rest. One of their horses noticed a uniform in the bushes, and by rearing and pitching, gave the alarm. Oglethorpe then gave the signal of attack. A deadly fire was poured down upon the unprepared enemy. They fled in all directions, but were met by the bayonet of the soldier and the scalping-knife of the Indian warrior. So complete was their surprise that many fled without their arms. The ground was strewed with the dead. Next morning an escaped prisoner told Oglethorpe that the Spaniards had lost two hundred and fifty-nine men. From this victory and the great slaughter of the Spanish the place was afterward called Bloody Marsh.

Though his forces were small, Oglethorpe now resolved to surprise the Spaniards by night. He advanced to within a mile and a half of their camp, when a Frenchman, who, without Oglethorpe's knowledge, had come with the volunteers, fired off his gun and ran into the Spanish camp. The Indians pursued the man, but could not overtake him. Oglethorpe then hastily retreated. He knew this deserter would tell the enemy of the real strength and position of his army, and he thought of a plan to thwart his treason. He sent a letter to him, written in French, urging him by all means to persuade the Spaniards to the attack, to speak of the smallness of his forces, and the exposure of his position; or, at least, to persuade them to remain three days longer on the island, when

other troops would arrive, and he could make an attack upon them.

Handing this letter to a Spanish prisoner, he told him to give it to the deserter who was a spy in the Spanish camp. He then gave the prisoner his liberty. The letter, of course, went at once to the Spanish headquarters. It there produced such alarm among the Spaniards that they hastily went aboard

BETHESDA ORPHAN ASYLUM (REBUILT IN 1854), NEAR SAVANNAH.

their ships and sailed away, forgetting in their hurry part of their arms and ammunition. In this way ended the Spanish invasion of Georgia, July 14, 1742. That a small force of six or seven hundred should have put to flight an army of five thousand soldiers, was a wonderful achievement. A noted minister, Whitefield, said : "The deliverance of Georgia from

the Spaniards is such as cannot be paralleled but by some instance out of the Old Testament."

After the Spanish war, Oglethorpe was called to England on business. He took with him a quantity of raw silk made in the colony, which pleased the Trustees very much. With this silk a dress was made for the Queen of England, who wore it to one of her receptions, in honor of Oglethorpe and the new colony. Oglethorpe never came back to Georgia. War with France occurring in 1754, King George II. made him a brigadier-general. He also became major-general, and one of the companies in his command was named the Georgia Rangers. In 1765, having passed through the grade of lieutenant-general, he was made commander-in-chief of all his Majesty's forces. By many it was said that he was offered command of the armies sent to subdue the American colonies in the war of the Revolution. This he declined, saying he knew "the Americans well; that they never would be subdued by force, but that obedience would be secured by doing them justice." He lived to see Georgia an independent State. In the ninety-seventh year of his age he died, full of years and honor.

GEORGE WHITEFIELD.

Among the honored names of the early history of Georgia we must not forget that of the young English preacher, Rev. George Whitefield. When John Wesley was in Georgia and needed help with his work among the Indians and the settlers of the new colony, he wrote to Whitefield: "What if thou art the man, Mr. Whitefield? Do you ask me what you shall have? Food to eat and raiment to put on; a house to lay your head in such as your Lord had not, and a crown of glory that fadeth not away." Whitefield came in the next

ship, and with him came James Habersham and a troop of soldiers.

When he arrived he found that John Wesley had resigned and returned to England. He turned his attention at once to the erection of an orphan asylum. The Trustees granted him five hundred acres of land about ten miles from Savannah. Upon that tract, in 1741, the orphan asylum was built and named Bethesda, "house of mercy." Forty orphans entered at first, and the number increased to one hundred and fifty. Whitefield raised money for the building from many sources, preaching all over England and America. He was very eloquent, so much so that Lord Chesterfield said: "He is the greatest orator I ever heard, and I cannot conceive of a greater." The orphan asylum was burned after several years, but was rebuilt, and is still a lasting monument to the inspiration and generosity of its founder.

[Of George Whitefield's eloquence in raising money for his asylum, Benjamin Franklin wrote:

"I happened soon after to attend one of his sermons, in the course of which I perceived he intended to finish with a collection, and I silently resolved that he should get nothing from me. I had in my pocket a handful of copper money, three or four silver dollars, and five pistoles of gold. As he proceeded, I began to soften, and concluded to give the copper. Another stroke of oratory made me ashamed of that and determined me to give the silver; and he finished so admirably that I emptied my pocket wholly into the collector's dish, gold and all."]

[Miss Hannah More writes: "I have got a new admirer; it is the famous General Oglethorpe, perhaps the most remarkable man of his time. He is much above ninety years old; the finest figure of a man you ever saw. He perfectly realizes all my ideas of Nestor. His literature is great, his knowledge of the world extensive, and his faculties as bright as ever. He is quite a *preux chevalier*, heroic, romantic, and full of the old gallantry."

The following are Pope's lines on Oglethorpe:

> "Hail, Oglethorpe! with nobler triumphs crowned
> Than ever were in camps or sieges found—

Thy great example shall through ages shine,
A fav'rite theme with poet and divine;
People unborn thy merits shall proclaim,
And add new honors to thy deathless name."

"His body reposes within Cranham Church, and a memorial tablet proclaims his excellence; but here the Savannah repeats to the Altamaha the story of his virtues and his valor, and the Atlantic publishes to the mountains the greatness of his fame, for all Georgia is his living, speaking monument."]

QUESTIONS.

With what preparations did the Spanish propose to invade Georgia? What did Oglethorpe do to meet this armament? Where did the Spanish first appear? Where next? What appeared June 28th, near St. Simon's? What happened July 5th? Where did the enemy land? What did Oglethorpe do? How many men did he have? How were the Spanish first defeated? Relate the incident of the ambush at Bloody Marsh. How was the night surprise prevented by a deserter? How did Oglethorpe thwart his treason? To whom did he give the letter? What effect did it produce? What did Whitefield say of the deliverance of Georgia? After the Spanish war, where did Oglethorpe go? What can you say of his after life? What did he say of the Americans in 1765? What did he live to see? When did he die, and how old was he? What can you say of George Whitefield? What did he come to Georgia for? What did the Trustees grant him? How did he raise the money? What did he found near Savannah?

TOPICS.

Spanish Invasion—

1. Preparations.
2. Landing at St. Simon.
3. Ambush at Bloody Marsh.
4. The decoy letter.
5. The effect of it.
6. Oglethorpe's return to England.
7. Tell about the Bethesda Orphan Asylum.

CHAPTER VIII.

THE ADMINISTRATION OF PRESIDENT STEPHENS.—THE LABOR QUESTION.—THE BOSOMWORTH CLAIM.

"I once thought it was unlawful to keep negro slaves, but I am now induced to think God may have a higher end in permitting them to be brought to this Christian country, than merely to support their masters."—JAMES HABERSHAM.

A SETTLER'S CABIN.

ABOUT two years before Oglethorpe's departure the Trustees had changed the plan of government and had divided Georgia into two counties, Savannah and Frederica. These were the first counties in Georgia, and each was to have a president with four assistants. Savannah County included all the territory north of Darien. Frederica County included Darien and all the territory south. William Stephens was appointed president of the county of Savannah. No appointments were made for Frederica County, because General Oglethorpe lived on St. Simon's Island, and he still retained his authority over the whole colony.

When Oglethorpe returned to England, in 1743, the plan of having a president in each county was abandoned, and Colonel Stephens was appointed by the Trustees president of Georgia. As president he had a grand title, a small salary, and little real

power. The Trustees governed the colony, and he and his assistants merely represented them in enforcing their rules and regulations or in deciding controversies and disputes.

During the first six years of President Stephens' administration the colony did not prosper. No new settlers were sent over, because contributions to pay their expenses had ceased, and great dissatisfaction existed among the colonists. This dissatisfaction was due to the regulations of the Trustees prohibiting the use of negro slaves, prohibiting the sale of rum, and restricting the right of a colonist to mortgage or sell his lands. In order to understand the feelings of the people, it must be remembered that just across the Savannah River was the colony of South Carolina, and further north on the Atlantic coast were eleven other English colonies where none of these restrictions existed. In Massachusetts, Rhode Island, Connecticut, and every other English colony, the people owned slaves, could purchase rum, and could dispose of their land as they pleased. These facts made the regulations of the Trustees appear all the more unreasonable to the Georgia colonists, and many abandoned their lands and crossed over into South Carolina, where they could enjoy the coveted privileges.

Although the Trustees prohibited the use of negro slaves in Georgia, they permitted and encouraged the employment of white servants. These white servants were brought over under contracts, called indentures or articles, by which they bound themselves to work for their employers for several years, usually four. At the end of that time each received a portion of land for himself. These servants, because of the contracts which they signed, were called "articled" or "indented" servants. Their labor was very unsatisfactory. Many of them were idle and would not work; others could not stand the heat and the malaria of the swamps. Many ran away to Carolina and to the other colonies, where they could procure land for themselves on easy terms.

As early as June, 1735, a petition was sent to the Trustees asking that the use of negro slaves be permitted, but the request was promptly refused. In December, 1738, another petition was sent to the Trustees for permission to use slaves with proper limitations, but counter-petitions were presented by the Salzburgers at Ebenezer and by the Highlanders of Darien, stating that they were content with the present laws and wished no change. This permission was also refused. The Trustees would not allow the colonists even to hire negroes owned in South Carolina. Those who desired slaves, however, continued their petitions, and even sent Thomas Stephens, a son of President Stephens, to England, to secure a repeal of the regulation. Rev. George Whitefield, who had at first opposed slave labor, became convinced that it was necessary for the existence of the colony, and that it was really a Christian act to bring these Africans to America and convert and civilize them. His whole influence was exerted in favor of the petitions being granted. The Trustees continued firm in their refusal.

After nearly fifteen years, however, the Trustees became convinced that they must yield. Even the Rev. Mr. Bolzius, pastor of the Salzburgers at Ebenezer, wrote to the Trustees in 1748: "Things being now in such a melancholy state, I must humbly beseech your Honors not to regard any more our or our friends' petitions against negroes." They therefore decided to petition his Majesty for a repeal of the objectionable act, under certain conditions. A letter was written to President Stephens and his assistants, submitting to them a copy of these conditions. A convention of the colonists was called to consider the matter, and Major Horton, of Frederica, presided over its deliberations. The suggestions of the Trustees were approved, and a petition was signed by twenty-seven persons of the highest standing in the province, requesting that slavery be allowed at once under the proposed conditions.

These conditions briefly were: that the colonists should employ one white man-servant for every four male slaves; that they should teach slaves no trade that would interfere with white citizens; that inhuman treatment should be prevented; and that moral and religious instruction should be given them. A condition added by the convention was that a penalty of ten pounds should be paid by every master who forced or permitted a slave to work on the Lord's Day, and that if he failed to compel his slave to attend church at some time on Sunday he should be fined five pounds for each offence. Upon these conditions the petition was granted, and slaves were by law admitted into Georgia on the 26th of October, 1749.

The regulation against the sale of rum and other distilled liquors was soon repealed; and finally, on the 25th of May, 1750, the regulations concerning the holding of land were modified so that the owner had the power to mortgage or sell at his pleasure. Thus the Trustees were finally compelled, by circumstances, to abandon three of their most important regulations for the colony of Georgia.

In 1749 the colony was for a time in constant dread of an attack from the Indians, and the story of the cause of the trouble is full of interest. Rev. Thomas Bosomworth, one of the ministers sent out to the colony, had married Mary Musgrove, the Creek woman who had acted as interpreter for Oglethorpe when he first met the Indians at Yamacraw. Before her marriage to Bosomworth she had been very friendly to the whites, and had been employed as interpreter. After her marriage to him, he persuaded her to present a bill against the colony for five thousand pounds for her services, and for damages to the property of her first husband. He also induced her to claim to be an Indian princess and empress of the Creek Indians. She demanded a tract of land opposite Savannah, and three islands on the coast, St. Catherine's, Ossabaw, and Sapelo, which had been reserved by the Indians for bathing and fishing.

President Stephens would not recognize her as a princess, and refused to pay her claims or to surrender the land and islands. She then appealed to the Indians, and having collected a large band, marched at their head to Savannah and demanded her rights. By her side was the Rev. Thomas Bosomworth, clothed in his white robes as a priest of the Church of England. Immediately following her came the kings and chiefs of the lower Creeks in war-paint and feathers, and after them a large band of warriors, all fully armed.

The people were very much alarmed at the presence of this large body of savages, and a bloody battle was expected every moment. President Stephens called out the soldiers, and when the Indians arrived, he boldly demanded that they should give up their arms before they came into the town. To this the Indians agreed. Shortly after they entered the town, Mary and her husband were separated from them and locked up. President Stephens then addressed the Indians in a quiet, friendly way, showing them that Mary was no princess, and that the islands and land which she claimed as hers were the property of the Creek Nation. In this way the Indians were satisfied, and declared their friendship for the whites. Presents were then distributed, and they departed in peace.

Bosomworth and his wife went to England to prosecute their claim before the Trustees and the King. His case was carried into the courts, and was a source of trouble for many years. Finally, however, Mary was awarded nearly two thousand pounds in full payment of the damages to her property and for her services to the colony, and St. Catherine's Island was given to her. There they both died, and are buried side by side on the seashore, where their graves may be seen to-day. Their demands are known as the "Bosomworth Claim."

[William Stephens was the son of a baronet who was lieutenant-governor of the Isle of Wight, at which place he was born in 1671. He was remarkable for his gentle manners even when a boy. He studied law and was a member of Parliament. He was highly respected by his neighbors

what changes in the rules and regulations were necessary for the welfare of the colony. Therefore, in 1750 they adopted resolutions creating a Provincial Assembly, composed of delegates elected by the people, which should consider the interests of the colony and recommend to the Trustees such measures as those interests demanded. This assembly was to meet in Savannah once every year, and not to remain in session longer than one month. Every town, village, or district in the province containing a population of ten families was to send one deputy, and any settlement containing thirty families could appoint two deputies. Savannah had four deputies, Augusta and Ebenezer two each, and Frederica two, provided thirty families were living there. There were some very curious qualifications for future membership in this assembly. No man could serve as a deputy in the second assembly who had not one hundred mulberry-trees planted and fenced in upon every fifty acres of land that he owned; and after 1753 no one could be a delegate who had not in his family at least one female instructed in the art of reeling silk, and who did not annually produce fifteen pounds of silk for every fifty acres of land owned by him.

Writs of election were issued in 1750, and sixteen delegates were elected. On the 15th of January, 1751, the first General Assembly ever held in Georgia met at Savannah and elected Francis Harris speaker. This assembly had no power to make laws, but could only recommend to the Trustees such measures as were deemed of advantage to the colony. The session lasted twenty-two days, and a number of recommendations were made, all of which received proper consideration from the Trustees.

Henry Parker, who had served as vice-president of the colony for the past eight years, was appointed president by the Trustees on the 8th of April, 1751, to succeed Colonel William Stephens, who had resigned his office on account of his age and infirmities. Colonel Stephens, during his service

as president, had won the love and confidence of the whole people, and the Trustees, as an evidence of their appreciation, voted him a pension for the remainder of his life. James Habersham was appointed secretary of the colony.

One of the recommendations of the first assembly was that the militia be organized, and President Parker, immediately after his appointment, proceeded to carry out this recommendation. General Oglethorpe's regiment had been disbanded, and the colony was left almost without protection against the Indians, whose friendship was uncertain. The militia are not regular soldiers, but citizens who are organized and drilled in the use of arms, so as to be ready when called upon to defend their homes and property. Those citizens who owned as much as three hundred acres of land were ordered to appear at Savannah at a certain time, on horseback, to be organized as cavalry, and all who owned less land were to be organized as infantry. The first general muster or gathering of the militia was held in Savannah in June, 1751, when about two hundred and twenty men, infantry and cavalry, paraded under the command of Captain Noble Jones. The records of the day say "they behaved well and made a pretty appearance."

In 1752 a most important addition was made to the colony of Georgia. A body of Congregationalists from Dorchester, S. C., secured from the authorities in Georgia the grant of a large body of land lying on the Medway River, half-way between the Ogeechee and Altamaha, in what is now Liberty County; and in December of that year Benjamin Baker and Samuel Bacon arrived with their families and servants to take possession. Others soon joined them, and in a few years thirty-five families of these South Carolina rice planters settled on the lands. Their Puritan ancestors had settled at Dorchester in Massachusetts over one hundred years before this time, and fifty years before the removal to Georgia their fathers had moved to South Carolina, on the Ashley River,

eighteen miles above Charleston, where they founded a settlement called Dorchester, after the home they had left. The good reports of the lands in Georgia induced them to leave South Carolina for a new home. They were industrious, prudent, intelligent people, fearing God and hating tyranny. They were not wanderers, but men of wealth who brought their property with them and immediately became one of the strongest communities in Georgia. They were Congregationalists, and their minister came with them. The Midway Church, which they erected a few years later, still stands, not far from the town of Dorchester. Many of the most distinguished citizens of Georgia have been descendants of these settlers at Midway.

The charter of Georgia had been granted to the Trustees for twenty-one years, and the end of the time was close at hand. The Trustees were weary of their charge and refused to have the charter renewed. They sent a memorial to the Lords of the Council proposing to surrender the control of the Province of Georgia, and to deed back to his Majesty the lands which had been conveyed to them in trust for the benefit of settlers in the province. The King accepted their proposal, and the last meeting of the Trustees was held on the 23d of June, 1752. Every bill had been paid, every claim against them had been adjusted, and all the formalities involved in surrendering their trust had been complied with. The deed of surrender was read and approved, and the seal of the corporation was attached. Then the seal was defaced, the Trustees ceased to exist, and the colony of Georgia, which had been their generous and unselfish care for so many years, passed under the direct control of the King of England and under the special charge of the Lords Commissioners for Trade and Plantations.

The Trustees were seventy-two in number, many of them noblemen of rank and men of distinction. Only six of the original number survived when they surrendered their char-

ter. During the twenty-one years they had received no pay for their services, but with the purest and most unselfish motives had given their time, their energies, and their money to building up in America a colony for the poor and worthy of England. Upon the surrender of their charter, their connection with the colony ceased, and a new epoch in Georgia history is reached.

[Henry Parker, the second president of the colony of Georgia, held the office of bailiff in Savannah as early as 1734. He acted as magistrate, and when on the bench wore a purple gown edged with fur. He made a settlement on the Isle of Hope, near Savannah. In 1741, when Georgia was divided into two counties, he was made one of the assistants of William Stephens. When Stephens retired on account of bad health and age, Parker became his successor and continued in the discharge of the duties of executive until his death.]

QUESTIONS.

What was the condition of the colony during President Parker's administration? What trade had grown up? What was the population of the colony at this time? What difficulties did the Trustees foresee? What was the Provincial Assembly? How composed? How did it differ from our legislature? Mention some of the qualifications for membership. When and where did the first assembly meet? Why did President Stephens resign his office? What new settlers came to the colony in 1752? What of their character? What about the expiration of the charter? Did the Trustees wish it renewed? To whom did they surrender control of the colony? What can you say of the Trustees and their service?

TOPICS.

Let the pupil tell about—

1. The first assembly.
2. President Henry Parker.
3. The colonial militia.
4. The Midway settlement.
5. Trustees surrender charter.

EPOCH III.

Georgia under the Royal Governors, 1754-1776.

CHAPTER X.

ADMINISTRATION OF GOVERNOR REYNOLDS.—THE GREAT SEAL.

"Georgia continued, under the king's government, to be one of the most free and happy countries in the world. Justice was regularly and impartially administered; oppression was unknown; the taxes levied on the subject were trifling; and every man that had industry became opulent."—STOKES' *Review of Georgia*, 1788.

UPON assuming control of Georgia, the king ordered that the regulations of the Trustees should remain in force and that the officers then serving should continue in office until the council could agree upon a new form of government. Two years and five months passed before any change was made. Meanwhile President Henry Parker continued in charge of the colony until his death, when Patrick Graham, of Augusta, became president. It was a period of great anxiety to the colonists, who were in doubt as to the future and in continual dread of attacks from the Indians.

There were at that time three forms of government among the English colonies in America. Pennsylvania, Delaware, and Maryland were under proprietors, and were governed as Georgia had been under the Trustees. Rhode Island and Connecticut had charters—that is, written documents from the king, in which he gave them the privilege of electing their own governors and managing their own affairs, so long as they submitted to his supreme authority. The other colonies were called royal provinces, and each had a provincial govern-

ment, consisting of a governor and council appointed by the king to represent him, and a lower legislative house elected by the people.

After long deliberation the Lords of the Council finally recommended that Georgia should be raised to the dignity of a royal province. This was approved by the king, and in 1754 he appointed Captain John Reynolds of the Royal Navy the first governor of the Province of Georgia.

As a royal province, Georgia was entitled to a great seal. Therefore, on the 21st of June, 1754, the king ordered the dies for the seal to be made of silver and engraved with the design selected as the coat of arms of the new province. These old seals were very curious affairs. They were of wax, as large as a saucer and half an inch thick. When an official document was written and signed, holes were punched in the top of the pages and a piece of tape or ribbon was passed through these holes and tied, so as to fasten the sheets together. The ends of the tape were then placed between two round plates of wax softened by warming, and these pieces of wax were placed between the dies. Pressure was then applied to the upper die, usually by a screw, so as to unite the two plates of wax. After the pressure was removed the dies were taken off, and a single piece of wax was found, bearing on either side in relief the figures that had been engraved on the dies. Such a piece of wax, thus stamped, was the great seal of the Province of Georgia, and was attached to official documents as a proof that they were genuine. The illustrations on the accompanying pages represent one of these seals. They also show a portion of the document, with the holes and the tape by which the seal is attached.

The front of this seal, called the obverse, shows a female figure, representing the young Province of Georgia, kneeling before the king in token of her submission, and presenting him with a skein of silk, while the motto beneath, "*Hinc laudem sperate coloni*"—meaning, "Hence hope for praise, O

colonists!"—notifies the colonists that the king still expected them to supply him with silk. The Latin words around the circumference mean, "The seal of our Province of Georgia in America." On the other side of the seal, called the reverse, is the coat of arms of George II.

Governor Reynolds arrived in Georgia October 29, 1754. As he landed at the bluff, the people crowded around and welcomed him with joy. At night bonfires were lighted and the houses were illuminated to show the delight of the people upon the arrival of the new governor. He took the oath of office and began his duties at once. His official title was "Captain-General and Governor-in-Chief of his Majesty's Province of Georgia, and Vice-Admiral of the same." He was addressed as "Your Excellency."

No officer in Georgia ever had such a magnificent title or filled so many offices as Governor Reynolds and the other royal governors. As captain-general he had entire control of the militia; as vice-admiral he commanded the naval forces; as governor he had the power of calling together, adjourning, and dissolving the General Assembly at will, and of vetoing (that is, refusing his consent to) any bill that was passed by the Assembly. He had charge of the great seal and was chancellor of the province. He presided in the Court of Errors, hearing bills from the lower courts, and as ordinary he had charge of the probate of wills and the administration of estates.

The General Assembly consisted of two parts. The smaller body, called the Upper House of Assembly, was made up of twelve members who were appointed by the king. It was also the Governor's Council. The larger body was called the Commons House of Assembly, and was made up of representatives elected by the people of the several districts of the province to represent them and their wants. Before any bill could become a law it must be passed by both of these houses and be approved by the governor. The Commons House of Assembly,

GREAT SEAL OF THE PROVINCE—(OBVERSE).

GREAT SEAL OF THE PROVINCE—(REVERSE).

as the representatives of the people, claimed the exclusive right of proposing bills for levying taxes and appropriating money.

Governor Reynolds found the province in a depressed condition, in spite of the bright pictures that had been painted of its prosperity. His first letter to the Board of Trade said: "The town of Savannah is well situated and contains about one hundred and fifty houses, all wooden ones, very small, and mostly old. The biggest was used for the meeting of the president and assistants, and wherein I sat in Council for a few days; but one end fell down whilst we were all there, and obliged us to move to a kind of shed behind the Court-house."

The first legislature of Georgia met in Savannah January 7, 1755. Twelve acts were passed and were approved by the governor. Among them was an act for printing, issuing, and circulating seven thousand pounds sterling in paper bills of credit, which should be legal tender (that is, lawful money) in the province. These paper bills of credit were simply paper money, and were loaned at interest on good security at six per cent. in order to supply the people with currency.

Governor Reynolds made a visit to the southern part of the province. He visited Frederica, but found that once lovely city almost in ruins. He journeyed up the Ogeechee River and found a beautiful site for a town. He laid off a town, and named it Hardwicke, after the earl of that name. He proposed to have the capital of the province located here, as it was a more central and beautiful location than Savannah, but the Lords Commissioners did not furnish the money needed to erect public buildings. Governor Reynolds devoted much of his time to improving the forts and defences of the colony. He went up to Augusta to make a treaty with the Indians. After waiting ten days, during which the Indians did not arrive, he was compelled to return to Savannah. He left presents in charge of his secretary, who delivered them to the Indians and received their assurances of friendship.

The business which called Governor Reynolds back to Savannah was the arrival of two ships with four hundred Acadians on board. These Acadians were French Catholics from Nova Scotia, then called Acadie. Their homes and their churches were burned, and the poor Acadians were driven on board British ships and distributed among the British provinces along the Atlantic coast. The reason for doing this was that the Acadians were opposed to British rule. Nothing more cruel and inhuman was ever done by any government. Under the laws of Georgia no Catholic could be admitted to the province, and as these Acadians were Catholics the governor was in doubt what to do. The feeling of humanity prevailed over his respect for the law, and the Acadians were cared for during the coming winter. Most of them left Georgia as soon as possible.

Although Governor Reynolds's administration had begun so pleasantly, it did not prove satisfactory. He became involved in disputes with his Council and with the General Assembly, and much bitter feeling resulted. The people complained to the Lords Commissioners of the Board of Trade and Plantations, and that body, being satisfied that something was wrong, on August 3, 1756, summoned Governor Reynolds to appear before them. He remained in the province until a lieutenant-governor could be appointed and sent out to Savannah to relieve him.

[John Reynolds was born in England in 1700. He entered the navy at an early age, and had been advanced to the rank of captain when he was appointed by the king as the first governor of Georgia. Upon resigning his position he set sail for England to answer the charges made against him. The vessel in which he embarked was captured by a French privateer, and Reynolds was robbed of his journal, papers, and everything of value belonging to him. After he arrived in London it was nearly a year before he was tried by the Board of Trade. His answers were not satisfactory, however. He then resumed his rank and position in the navy, and before his death he rose to the rank of Rear-Admiral of the Royal Blue. He died in 1776.]

[The initials on the circumference of the coat of arms of George II. stand for the following Latin words: "*Georgius II., Dei Gratia Magnæ Britanniæ, Franciæ et Hiberniæ Rex, Fidei Defensor, Brunsvici et Luneburgi Dux, Sacri Romani Imperii Archi-Thesaurarius et Elector,*" meaning, "George II., by the Grace of God King of Great Britain, France, and Ireland, Defender of the Faith, Duke of Brunswick and Luneburg, High-Treasurer and Elector of the Holy Roman Empire." The lion and the unicorn with the crown of Great Britain are the coat of arms of the kingdom, and the quarterings on the shield represent the different titles of George II.]

[The first officers appointed for the Province of Georgia were as follows: William Clifton, Attorney-General; James Habersham, Secretary and Register of the Records; Alexander Kellet, Provost Marshal; William Russell, Naval Officer; Henry Yonge and William DeBrahm, Joint Surveyors of Land; Sir Patrick Houstoun, Bart., Register of Grants. The members of the first Council were: Patrick Graham, Sir Patrick Houstoun, James Habersham, Alexander Kellet, William Clifton, Noble Jones, Pickering Robinson, Francis Harris, Jonathan Bryan, William Russell, and, subsequently, Clement Martin.]

QUESTIONS.

After the king assumed control of Georgia, what did he order? Describe the three forms of government among the English colonies in America. What important change was now made in the government of Georgia? Who was the first royal governor? Describe the great seal of the Province. The motto. When did Governor Reynolds land? What were some of his titles and powers? Describe the General Assembly. How did Governor Reynolds find the colony? What did he say in his first letter? What was one of the acts of the first legislature? What steps did the governor take to find out the condition of the colony? Who were the Acadians? Was Governor Reynolds's administration satisfactory to the people?

TOPICS.

Tell about—

1. The government of Georgia.
2. The seal of Georgia.
3. Powers of the governor.
4. The General Assembly.
5. Meeting of first legislature.
6. Reynolds's tour.—Hardwicke.
7. The Acadians.
8. Reynolds removed.

CHAPTER XI.

GOVERNOR HENRY ELLIS.—AFFAIRS PRECEDING THE REVOLUTION.

"I can with unfeigned sincerity declare that I enter upon this station with the most disinterested views, without prejudice to any man or body of men, or retrospect to past transactions or disputes, but animated with the warmest zeal for whatever concerns your happiness or the public utility, sincerely inclined to concur with you in every just and necessary measure, and fully resolved that if, unfortunately, my wishes and endeavors prove fruitless, to be the first to solicit my recall."—HENRY ELLIS.

HENRY ELLIS, who had been appointed by the king lieutenant-governor of Georgia, was still a young man about thirty-six years of age. He had been a daring and skilful sailor in the Pacific Ocean and had received high honors in England. He landed in Georgia February 16, 1757, and waited upon Governor Reynolds at once. He was then taken to the council chamber, where he was installed as lieutenant-governor and acting-governor of Georgia during the absence of Governor Reynolds, who sailed for England the same day. The people welcomed him with bonfires and public parades. In the evening the houses were illuminated, and everybody rejoiced in the hope of a new season of prosperity. The lieutenant-governor was especially pleased with the address of a band of young soldiers who, to the number of thirty-two, had enrolled themselves under the command of their schoolmaster and paraded before his house.

The first care of Lieutenant-Governor Ellis was to provide for the defence of the colony. He obtained a ship of war and five hundred stands of arms to protect the coast. He tried by justice and mild measures to heal the discontent that Reynolds had created. He looked into every department of the

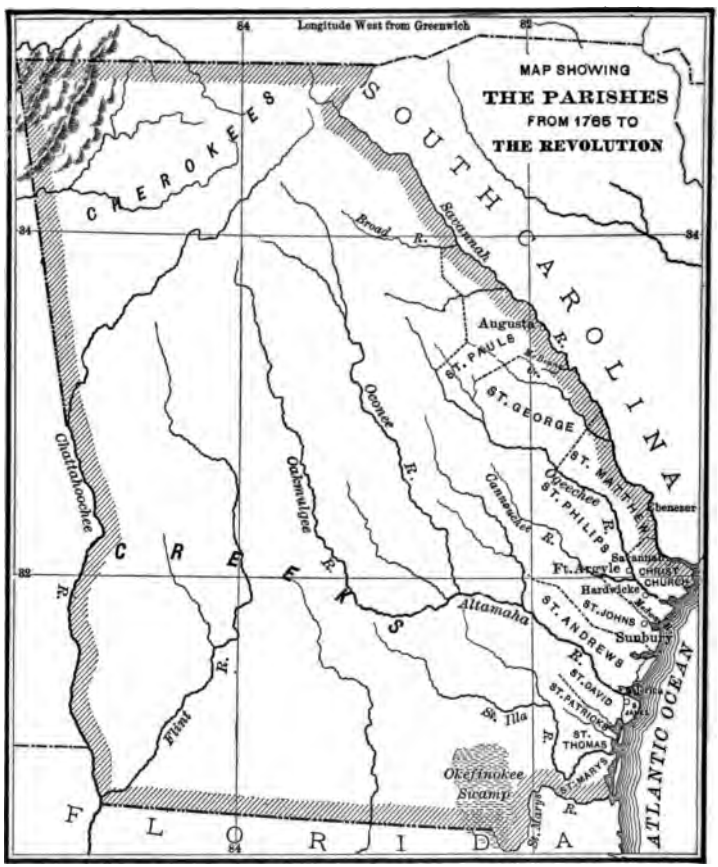
government, and recommended a chief justice for the province. He visited the southern section, and favored the removal of the capital from Savannah to Hardwicke. He held a conference with the Creek Indians at Savannah, and by his tact secured their friendship and promises of peace. This was very important, as France and England were at war, and French agents had been sent among the Creeks to induce them to attack the English in Georgia.

When the legislature, or General Assembly, met, June, 1757, the governor made an opening address full of good wishes for the welfare of the colony. Among the bills passed by this legislature was one offering the Province of Georgia as a home for debtors who could not pay what they owed. Here they could find work and lands, and gradually save enough to pay their debts.

The rapid growth of the settlements on the Medway River impressed the people of that district with the necessity of having a port of entry of their own from which their crops could be shipped and where supplies for their plantations could be bought. On the 20th of June, 1758, Thomas Carr conveyed to five trustees three hundred acres of a grant which he had received a year before from the king, to be laid out by them as a town called Sunbury. The trustees were men of prominence, and two of them, John Stevens and John Elliott, were influential members of the Midway Church. The site selected for the town was twelve miles from the ocean, on a beautiful bluff on the Medway River, covered with magnificent live-oaks and magnolias. A more beautiful spot could not be found in Georgia. The town was laid off into streets, wharves were built, and it soon became a place of great importance in the colony, second only to Savannah. Its principal trade was with the West Indies and the northern colonies.

In 1758 Georgia was divided into eight parishes: Christ Church Parish, including Savannah; St. Matthew's Parish, including Ebenezer; St. Paul's Parish, including Augusta;

St. George's Parish, including Halifax; St. Philip's, including Great Ogeechee; St. John's, including Midway and Sunbury;



MAP OF PARISHES, 1765 TO THE REVOLUTION.

St. Andrew's, including Darien; and St. James', including Frederica. These divisions were made in order to better regulate the government of the colony. The law provided for

the holding of public worship in each of these parishes. In 1765 four new parishes were added to the number then in Georgia. They were St. Patrick's, St. David's, St. Thomas', and St. Mary's, and were all between the Altamaha and the St. Mary's rivers. These parishes were really counties.

In 1758 Governor Reynolds, who had gone to England for trial, was removed, and Lieutenant-Governor Ellis was commissioned "Governor-in-Chief of the Province of Georgia," an honor he fully deserved. During the same year the colony sent over to England twenty-five thousand pounds of indigo and fifty-five hogsheads of rice. Georgia was steadily growing in population, commerce, and importance.

The wisdom of Governor Ellis in making fast friends of the Creek Indians was apparent in 1759, when the Carolinas and Virginia became involved in war with the Cherokees, a most powerful tribe. Their lands covered all North Alabama and North Georgia and much of South Carolina and extended north to the Ohio River. Their warriors had assisted the English attack on Fort Du Quesne, where Pittsburg now stands. After the capture of this fort, the Cherokee warriors returned home through Virginia and carried off some horses that they found pasturing in the woods. They were followed by a party of Virginia frontiersmen, and twelve of their number were killed and the others captured. This injustice aroused the young warriors of the whole Cherokee Nation, and, instigated by French agents, they began attacks on the Carolina frontiers. On the Little Tennessee River, in the valley beyond the mountains, was Fort Loudoun, and in South Carolina, near the town of Keowee, was Fort Prince George, both in the Cherokee country. Fort Loudoun was surrounded by the Cherokees and the garrison cut off from all supplies.

Governor Lyttleton, of South Carolina, called out the militia and prepared to march against the Cherokees. Thirty-two chiefs, hearing of this, went to Charleston to make peace; but the governor refused to listen to them, and forced them to

march with his army to Fort Prince George. He put guards over them on the march, and confined them when he reached the fort. This unjust treatment was a great outrage. Finding his army not strong enough to attack the Cherokees, the governor now concluded to make peace with them, so that he might return with credit to Charleston. He sent for Attakullakulla, a wise old Cherokee chief, who was a friend of the English, and with his assistance peace was arranged. Twenty-two Indians were to be held in the fort as hostages for the surrender of the twenty-two Indians who had been murdering the whites, and the governor returned to Charleston.

Governor Lyttleton's treatment of the chiefs had aroused a spirit of revenge, and before he reached Charleston they had killed fourteen men and besieged the fort. Unable to capture it, they decoyed Captain Cotymore and two lieutenants out from the fort and murdered them. In retaliation, the soldiers in the fort attempted to put the hostages in irons. One of them resisted and stabbed a soldier, whereupon they were all murdered. This act again aroused all the Cherokee warriors, and they at once began to murder the settlers along the frontier of South Carolina. Small-pox had broken out in South Carolina, and the militia could not be called out. General Amherst sent Colonel Montgomery from New York with a force of regulars and seven troops of Rangers from North Carolina and Virginia. He at once attacked the Cherokees in South Carolina, burned several of their towns, killing men, women, and children, and drove them to the mountains. Here he attempted to follow them, but he was drawn into an ambuscade and narrowly escaped defeat. He saw that he could do nothing against them in the mountains with his small force, so he returned to Charleston and thence to New York.

On August 7, 1760, the garrison at Fort Loudoun, cut off from supplies and being on the point of starvation, was forced to surrender. The Cherokees promised that the garrison

should be conducted in safety to Fort Prince George, but the first night of the journey the soldiers were attacked and many of them were killed. The others were carried back to Fort Loudoun as prisoners. The British Government now recognized that the Cherokee war was a very serious matter, and prompt steps were taken to end it.

Meanwhile Governor Ellis was preparing to leave Georgia. The climate did not agree with him, and he had applied, a year before, for permission to return to England. This had been granted, but he was forced to wait for the arrival of the lieutenant-governor, James Wright, who had been appointed to relieve him.

[Governor Henry Ellis was born about the year 1720, and was distinguished at an early age for his study of the natural sciences and by his interest in geographical discoveries. When he was twenty-six years of age he was entrusted with an expedition to find a new route to the Pacific Ocean, and was offered £20,000 if he succeeded. With two ships he set sail and entered the Straits of Hudson. For over a year he tried to find his way through, braving the dangers of new seas and a severe winter. He returned to England in 1747, and was at once made a Fellow of the Royal Society. He was soon after appointed lieutenant-governor of Georgia. He was spoken of as "an active, sensible, and honest man."]

[Governor James Wright was descended from an ancient and honorable family. His father had settled in Charleston, where he married, and afterward became Chief Justice of South Carolina. James Wright was born in Charleston, but educated in England. Upon his return to Carolina he began the practice of law, and was appointed attorney-general of the Province when only twenty-five years of age. When he entered upon his duties as governor of Georgia he was about forty-six years of age, in the prime of his life, a firm and loyal adherent to the Crown, and ever true to the trust imposed upon him in the trying times of the Revolution soon to follow.]

[The way in which the Indians were received at Savannah when Governor Ellis made his treaty with them in 1757 is shown by the following account:

"The Indians were escorted by Captain Milledge with his troop of

Rangers, and approached the town. They were met in an open savanna about a mile distant by Captain Bryan, with the principal inhabitants of the town, on horseback, who welcomed them in the name of his Honor the governor, and regaled them in a tent pitched for that purpose.

"The Indians were conducted to the council, and were introduced to his Honor the governor, who, holding out his hand, addressed them in the following manner: 'My friends and brothers: Behold my hands and arms! Our common enemies, the French, have told you they are red to the elbows. View them! Do they speak the truth? Let your own eyes witness. You see they are white, and could you see my heart you would find it as pure, but very warm and true to you, my friends. The French tell you whoever shakes my hands will be immediately struck by disease and die. If you believe this lying, foolish talk, don't touch me. If you do not, I am ready to embrace you.' Whereupon they all approached and shook hands, declaring the French had deceived them in this manner."]

QUESTIONS.

Who was appointed lieutenant-governor of Georgia? How was he received by the people? What was the first care of Governor Ellis? What did he try to do? What did he favor? What bill was passed by the legislature of 1757? Describe the founding of Sunbury. Name and locate the first eight parishes. What four were added in 1765? What can you say of the exports of Georgia in 1758? What trouble arose with the Indians in 1759? What was the cause of the outbreak? What did the Governor of South Carolina do? What was the effect of his treatment of the Indians? Give further details of the trouble. What occurred at Fort Loudoun? Why did Governor Ellis resign? Who succeeded him?

TOPICS.

Henry Ellis—

1. Landing and welcome.
2. First cares.
3. Sunbury.
4. The parishes.
5. Cherokee war.
6. Returns to England.

CHAPTER XII.

ADMINISTRATION OF GOVERNOR WRIGHT.

"With an increasing population and expanding commerce, and presided over by a chief magistrate eager for the promotion of its best interests, the province day by day rose in importance and was fast realizing the expectations which its illustrious founder had conceived for it."—JONES's *History of Georgia*.

HON. JAMES WRIGHT, the newly appointed lieutenant-governor, arrived in Georgia October 11, 1760. Two days later Governor Ellis sent his last message to the Assembly, and on the 2d of November he sailed for England amid the regrets of the people of the whole province.

Lieutenant-Governor Wright was an American by birth, although educated in England. He was born in Charleston, and had been attorney-general of the province of South Carolina for twenty-one years. He was the third and last governor of Georgia under the British crown.

He at once sent a message to the Assembly, calling attention to the necessity of completing the defences of the colony. Fort Loudon had just been captured, and the people of Georgia were in constant dread of an attack from the Cherokee Indians. Savannah was completely enclosed with palisades and forts, so as to afford an asylum to the planters living in the vicinity, and the other forts of the province were put in good condition.

Lieutenant-Governor Wright determined not to remove the capital from Savannah to Hardwicke. This decision was of great importance to Savannah and to the whole province. The people, feeling sure that Savannah would be the permanent seat of government, invested capital in business there,

and substantial brick buildings began to take the place of the temporary wooden structures that composed the town.

February, 1761, was a memorable month in Georgia. A ship arrived bringing news of the death, in October, 1760, of the old king, George II., for whom the province was named, and of the crowning of his successor, George III. The Assembly was dissolved, and funeral services held in memory of the old king. The following day George III. was proclaimed king.

Meanwhile, Governor Ellis had reached England, and had induced the king to relieve him from serving any longer as governor of Georgia. On the 20th of March, 1761, Lieutenant-Governor James Wright was appointed "Captain-General, Governor, and Commander-in-Chief of the Province of Georgia," although his commission did not reach him until the 28th of January of the next year, nearly ten months after his appointment. This news was received with great rejoicing by the people.

Early in 1761, Lieutenant-Colonel James Grant reached Charleston with a force of Highlanders to coöperate with the South Carolina militia in conquering the Cherokees. With about two thousand six hundred men he marched to Fort Prince George in May, where he was met by Attakullakulla, who begged him to advance no farther. The old chief believed that he could persuade the Cherokees to sue for peace; but Colonel Grant declined to wait, and moved at once into the Cherokee country. A bloody fight occurred four days later on the spot where Colonel Montgomery had been drawn into an ambuscade the year before. The Cherokees fought bravely for three hours, but were finally compelled to retreat. Colonel Grant pressed on to the Indian town of Etchoe, which he burned. Advancing into the heart of the Cherokee country, he burned fourteen other towns and left the entire region desolate. He then returned to Fort Prince George. The power of the Cherokees was thoroughly crushed, and peace

was soon made. During the two years in which they had been at war with Virginia and the Carolinas, the Cherokees had not attacked any settler in the province of Georgia.

In Europe events were taking place which deeply affected the future of Georgia. France, Austria, and Russia were engaged in a war with Prussia and England, but had gained no advantage on the continent of Europe. But England had conquered Canada, had made large gains in India and Africa, and had seriously crippled the French navy, so that in 1761 the resources of France were exhausted.

Now it happened that France, Spain, Sicily, and Parma were governed by princes of the house of Bourbon, and the king of France persuaded his kinsmen to form an alliance, known in history as the "Family Compact." Spain, then a great naval power, secretly agreed to aid France in the war against England. In 1762 England learned of this secret compact, and promptly declared war against Spain. The contest was short. Within a few months England had almost destroyed the Spanish navy and captured Havana. Spain's commerce and her rich colonial possessions were at the mercy of England, and a treaty was agreed upon.

This treaty, known in history as the Peace of Paris, was proclaimed February 10, 1763. Its provisions affecting Georgia were that England gained Florida, which was ceded by Spain, and the valley of the Mississippi east of the river, which was ceded by France.

It will be remembered that up to this time the northern boundary line of Florida had never been settled. Now that all the land had come into possession of England, King George III., by royal proclamation, on the 10th of October, 1763, fixed this boundary line at the St. Mary's River and a straight line to be run from the head waters of that river to the beginning of the Appalachicola River. The territory south of this line and east of the Appalachicola River became the province of East Florida. The territory between the

Appalachicola River and the Mississippi was organized into a new province, called West Florida, with its northern boundary line on the thirty-first parallel of latitude. By the same proclamation the king added to the province of Georgia all the lands lying between the Altamaha River and the northern line of Florida. Thus it happened that Georgia profited by the Treaty of Paris. The addition to her territory made her one of the largest provinces in America, and the organization of Florida as an English province removed the Spaniards, who had always been troublesome and dangerous neighbors. A new commission was issued to Governor Wright early the next year, giving the exact boundaries of the province he was to govern. This commission, years afterward, was an important document in settling the boundaries of the United States.

In the same proclamation the king had set aside, for the use of the Indian tribes, the lands between the Mississippi River and the head waters of the streams flowing into the Atlantic, and had forbidden whites, "for the present," to settle on these lands. In order to establish friendly relations between the whites and the Indians, the king ordered the governors of Virginia, North Carolina, South Carolina, and Georgia, within whose boundaries the Indian lands lay, to hold a joint conference with the chiefs of the tribes. Augusta was selected as the most convenient and suitable location, and the congress was opened at the King's Fort in that town on the 5th of November, 1763. Seven hundred Indians were in attendance; among them were the leading chiefs of each tribe. As the conference was held in Georgia, Governor Wright was made president, and after five days of negotiation, a solemn treaty of perpetual peace and friendship was agreed upon and signed by all the parties.

[Although England had granted to the colonies along the Atlantic coast charters which extended their boundaries "westward to the South Sea" or "from sea to sea," as a matter of fact, these colonies had never

extended west of the Alleghany Mountains. According to the law of nations, France had a clear title to this territory which she now ceded to England.]

[The fighting, which really began in 1754 on the western borders of Virginia, had not caused a declaration of war between France and England, although both countries had been irritated about it. Two years later France formed an alliance with the Empress Maria Theresa of Austria and the Empress Elizabeth of Russia against Frederick the Great of Prussia. England, through her interest in Hanover, came to the assistance of Frederick, who had not then won his title "the Great," and declared war on France in 1756. This war is known in history as "the Seven Years' War," and was fought in Europe, in India, in America, and on the ocean. The fighting done in America is called in American history "the French and Indian War," though it was really a part of the great "Seven Years' War," and is so called by European historians. Spain did not take part in the war until 1761. The results of this war were most disastrous for France. Prussia became one of the great powers of Europe; France lost the better part of her colonial possessions, and England from this time was mistress of the seas.]

QUESTIONS.

When did the lieutenant-governor arrive? What of Governor Ellis? Who was Lieutenant-Governor Wright? To what did he turn his attention? What of his decision as to the capital? What of the death of George II.? When did Lieutenant-Governor Wright become governor? His inauguration? Give the conclusion of the Cherokee War. What was taking place in Europe? Describe the "Family Compact." What was the result of this compact? By the terms of the Treaty of Paris what changes occurred in America? Who fixed the northern boundary line of Florida? What two new provinces were organized? What addition was made to the province of Georgia? Why are the "Seven Years' War" and the "Family Compact" of interest to Georgians? What of Governor Wright's new commission? What conference was ordered by the king? Tell all about the conference.

TOPICS.

Let the pupil tell about—

1. James Wright.
2. Cherokee War.
3. European affairs.
4. Treaty of Paris.
5. The king's proclamation.
6. Augusta conference.

CHAPTER XIII.

HOW THE PEOPLE TREATED THE DEMANDS OF THE MOTHER COUNTRY.

"It was certain, beyond a doubt, that this province has made, must and will make a rapid progress, and in a few years will make as considerable a figure as most on the continent."—*Letter of* GOVERNOR WRIGHT.

ENGLAND'S expenses in the Seven Years' War had doubled her national debt, and now that the war was over, Parliament found that a new tax must be levied every year to pay the interest on the new debt. Taxes in England were already very high, and so the prime minister proposed that part of this new tax be levied on the American colonies, because, he claimed, a part of the debt had been for their defence. The colonies denied both the justice of the tax and the right of Parliament to levy it. It was not just, because they had already borne their part of the expense when they furnished and equipped soldiers who fought and won the campaigns in America. It was not right or constitutional, because the "Bill of Rights" which the English people had forced their kings to sign guaranteed that English citizens should not be taxed except by the votes of their representatives. Although these colonists lived in America, they were still Englishmen, entitled to all the rights of English citizens; and Parliament, in which

they were not represented, had no right to tax them. In Georgia and in the other provinces Parliament had recognized this principle by permitting the lower house of the General Assembly, elected by the people, to exercise the sole right of levying taxes in the province.

The protests of America were not regarded, and in March, 1765, Parliament passed the famous "Stamp Act." The tax which was levied by this act was to be collected by the sale of stamped paper. Pamphlets could not be sold unless printed upon stamped paper, and legal documents, such as notes, bonds, contracts, and even marriage licenses, were null and void unless written upon stamped paper. The price of the stamp was added to the cost of the paper, and each person that bought a sheet of this paper would in this way pay the tax.

When the news of the passage of the Stamp Act reached Georgia the people were filled with indignation. The ringing words of Patrick Henry in the General Assembly of Virginia expressed the conviction of every freeman in Georgia. When the call came from Massachusetts for a congress of all the colonies to protest against the tax, the people of Georgia were ready to respond. Governor Wright's personal influence prevented the election of delegates, but a letter was sent promising the coöperation of Georgia. William Knox, agent for Georgia in England, was dismissed because he advised the people to submit to the stamp tax. The people formed themselves into associations called "Sons of Liberty" (nicknamed Liberty Boys), and pledged themselves not to use stamped paper or to permit it to be used or distributed in the province.

On the 26th of October, Governor Wright ordered a general muster of the militia of the province to celebrate the fifth anniversary of the king's accession to the throne. A large crowd gathered in Savannah, but instead of taking part in the celebration, they paraded the streets with noise and excitement, threatening the governor and denouncing the Stamp Act. They made effigies of certain persons who had favored

submission to the Stamp Act, and burned them with jeers and insults.

Although the Stamp Act was to take effect November 1st, 1765, it was the 5th of December before his Majesty's ship *Speedwell* arrived at Savannah with the stamped papers on board. The papers were taken out and placed in the king's storehouse, in charge of the commissary, guarded by forty men. On the 3d of January, Mr. Agnus, the distributor, arrived, was secretly landed in a scout-boat, with an officer and a party of men to protect him, and was taken safely to the governor's house, where he took the oath of office. He remained in the governor's house about two weeks without daring to go out, and was then sent to the country for safety. There was good reason for this. The whole colony was aroused. Governor Wright received threatening letters. James Habersham, President of the Council, was waylaid at night and forced to seek protection in the governor's guarded mansion.

Finally, toward the end of January, a body of six hundred armed men arranged to assemble in Savannah, and either to force the governor to agree not to carry out the law, or else to destroy the stamps in his possession. The governor heard of this, and sent the stamps to Fort George, on Cockspur Island, where they were still guarded by soldiers. The general excitement continued. On the 2d of February, the *Speedwell* returned to Savannah, and the governor, a few days later, transferred the stamps from the fort to the ship. That night a riotous procession was formed, and burned an effigy of the governor holding in its hand one of his offensive circulars. The only stamps used in Georgia were employed in clearing sixty or seventy vessels which had collected in Savannah and were afraid to sail without them, because any ship found upon the high seas without clearance papers duly stamped might be seized by any other British ship, or by the ships of any other nation. The citizens consented to the use of these stamps in this instance alone.

February 22, 1766, the Stamp Act was repealed, and peace and order once more prevailed in the colonies. When the news reached Georgia, Governor Wright convened the General Assembly, and congratulated them that the Province of Georgia would have to pay no compensation for any injuries or damages to public or private property, and that the Assembly itself had no votes or resolutions to reconsider.

In the following January an incident occurred which showed the spirit of independence pervading the people and their representatives in the Commons House of Assembly. The governor made a requisition on the Assembly for supplies for the British soldiers stationed in Georgia, and sent a copy of the "Mutiny Act" under which the supplies were authorized. The upper house cheerfully agreed, but the lower house, after a long delay, replied that a compliance with the requisition would be a violation of the trust reposed in them by their constituents, and would furnish a precedent which they did not feel themselves justified in establishing. The governor was very indignant, but was afraid to dissolve the Assembly, because it contained several members who were disposed to support the government, while if a new Assembly were elected, he feared that it would be composed wholly of the "Sons of Liberty."

Another dispute between the governor and the Assembly was with reference to the election of an agent to represent Georgia in England. The lower house refused to elect the man proposed by the governor, and he refused to approve the man elected by the house. Consequently, Georgia had no agent until 1768, when Dr. Benjamin Franklin was elected. His salary was fixed at £100 a year, and he continued to represent Georgia until the outbreak of the Revolution.

Although Parliament had repealed the Stamp Act, it had not abandoned its claim to the right to tax the colonies, and so a bill was framed levying a tax upon paints, paper, glass, and all articles of British manufacture. On the 11th of Jan-

Wright applied for leave of absence, he recommended James Habersham for his successor, "as being a gentleman of property and no Liberty Boy." He died at New Brunswick, N. J., in 1775, where he had gone on account of his illness.]

QUESTIONS.

Why did Parliament propose to tax America? Why was this not just? Why was it not right or constitutional? How did Parliament act? Describe the Stamp Act. How was the Stamp Act received in Georgia? Who were the Liberty Boys? How did Georgia celebrate the anniversary of the king's coronation? When did the stamped papers reach Georgia? What was done with them? When did the distributor arrive? What happened to him? What was the feeling in Georgia? What finally became of the stamps? Were any of them used in Georgia? How was the trouble about the Stamp Act settled? What did Governor Wright do when he heard the news? What incident showed the spirit among the people? What other dispute occurred between the governor and the lower house of Assembly? What new act was passed by Parliament? What was done with the letter of the Massachusetts Assembly? How did the people of Georgia regard the new tax? What of Jonathan Bryan? What of the contest between the governor and the lower house of Assembly? Why was there no meeting of the Assembly in 1770?

TOPICS.

What brought on the Revolution:

1. Taxation without representation.
2. Stamp Act.
3. Disturbance at Savannah.
4. How the Stamp Act was treated.
5. How the Mutiny Act was treated in Georgia.
6. Trade with England stopped.

CHAPTER XIV.

FIRST ACTS OF RESISTANCE.

"*Resolved*, no man dissenting, That his Majesty's subjects in America owe the same allegiance, and are entitled to the same rights, privileges, and immunities with their fellow subjects in Great Britain."—*Resolution of Georgia Patriots.*

JAMES HABERSHAM.

GOVERNOR WRIGHT obtained a leave of absence and sailed for England in July, 1771. Hon. James Habersham, President of the Council, had been appointed by the king to discharge the duties of governor during Governor Wright's absence. His title was President. He was one of the people and sympathized with them, but as an officer of the Crown he was loyal to his trust, and felt bound by his oath to carry out the king's wishes.

One of the orders of the king was that Dr. Noble W. Jones should not be chosen speaker of the Commons House of Assembly. The Assembly elected him twice, and each time Acting-Governor Habersham refused to sanction the choice. The third time, Dr. Jones declined to serve, and the Assembly elected Archibald Bulloch. All this was put in the journal of the house, and when the acting-governor directed the Assembly to leave it out of the minutes, they refused. For this he dissolved the Assembly.

Governor Wright returned to Savannah, February, 1773. He had been absent from Georgia for nineteen months. He was made a baron while in England, and treated with much

respect. His position as royal governor of Georgia at this time was a very trying one, but he acted throughout with justice and loyalty, and did his duty, as he understood it, to the king.

As soon as he returned he went to Augusta and met the chiefs of several tribes of Indians. He obtained from them the territory of the present counties of Wilkes, Taliaferro, Greene, Elbert, Oglethorpe, Lincoln—about 2,100,000 acres in all. This was in payment of a debt of $200,000 which the Indians owed the traders. In this way, by frequent treaties the lands were being gained from the Indians and opened for the whites to settle upon. No lands were taken by force, however; the land was always bought and payment was made as promised.

The British Parliament repealed the tax on all articles except tea. They kept a tax on this in order to show their right to tax the colonies. But the American people resolved not to use tea. The tea ships were sent back from New York and Philadelphia. In Charleston the tea was landed, but was allowed to rot in damp cellars. At Boston a company of men dressed like Indians went on board the tea ships and threw the chests into the sea. The British Parliament then passed the Boston Port Bill, March, 1774.

This act was designed to close the port of Boston, thus keeping any ships from coming in or going out. The charter of Massachusetts was taken away, and a law was made requiring persons charged with committing crimes in America to be carried to England for trial. These measures made the people more and more discontented. Those who sided with the colonies and were in favor of liberty were called "Whigs," while those who favored the king were called "Tories." "Tory" soon became a term of bitter reproach.

August 10, 1774, a band of patriots met in Savannah, passed resolutions of sympathy for the people of Boston, and declared the acts of the mother country unjust. These reso-

lutions declare that the Americans deserved the same rights as subjects living in Great Britain; that they had a right to petition the throne for a redress of their wrongs; that the closing of the port of Boston was an act of tyranny; that the withdrawal of the charter of Massachusetts was an invasion of American rights; that Parliament had no right to tax the colonies without their consent; that it was unjust to transport criminals to England for trial; and that Georgia would unite with the other colonies to resist these measures of oppression by the British Government. A subscription was started for the Boston sufferers, and six hundred barrels of rice were given and sent to that place. Among the patriots at this meeting was Jonathan Bryan, again a member of the King's Council in Georgia. When Governor Wright called his Council together, a motion was made "to expel Mr. Bryan" from his seat in the Council. "I will save you the trouble," said Bryan, and at once handed his resignation to the governor and walked out.

In order that Georgia should not fall behind other provinces in resenting the action of Parliament, it was decided to hold a Provincial Congress in Savannah, in January, 1775, composed of delegates from all the parishes of Georgia. Governor Wright did all he could to prevent this meeting and thwart its designs. When the congress met, only five out of the twelve parishes were represented. One of the objects of the meeting was to elect delegates to a general Continental Congress of representatives from all the provinces, to meet in Philadelphia in May. The Georgia Provincial Congress elected three delegates, Noble W. Jones, Archibald Bulloch, and John Houstoun. These delegates did not attend the Continental Congress, however, because they were not appointed by a majority of the parishes, and hence there might be a question as to their right to represent the sentiment of the province. They wrote a letter to the Continental Congress, in which they said: "There are still men in Georgia who, when an occasion shall require, will be

ready to evince a steady, religious, and manly attachment to the liberties of America."

The parish of St. John was represented in the Provincial Congress, but was not satisfied with the action of that body. Its representatives desired the Province of Georgia to take as bold and active a stand for liberty as any province in America. The parish was a wealthy and influential one, and resolved to send its own delegates to the Continental Congress. Dr. Lyman Hall was chosen, and took his seat in the Continental Congress "as a delegate from the parish of St. John in the colony of Georgia, subject to such regulations as the Congress should determine relative to voting."

For the patriotic and independent spirit of its people and this prompt and courageous movement, the legislature in after years conferred the name of *Liberty County* on the consolidated parishes of St. John, St. Andrew, and St. James. Governor Wright said that the head of the rebellion was in St. John's Parish.

The sentiment of the people of Georgia was divided. There were those who were anxious to act at once, throw off the yoke of Great Britain, and proclaim the liberty of the American colonies. There were others who were conservative in their views, and who hesitated to involve the province of Georgia in war. They still loved the mother country and believed that the disputes between the Parliament and the colonies would be settled in a friendly manner. This feeling was rather creditable to Georgia than otherwise, for, of all of the colonies, she had least cause to complain and take up arms against the mother country.

The British General Gage was sent to Boston with a fleet and army to subdue the American colonies. By April, 1775, three thousand British troops had collected in Boston. Soon after, the battle of Lexington occurred, in which the British were defeated. To learn how these regular British soldiers were routed by the American farmers with their shot-guns

and old rifles, you will have to read the history of the United States, where not only this but all the other battles of the Revolutionary war are described. The tidings of the battle of Lexington removed all hesitation, and, excepting a few members of the King's Council, united all the people of Georgia in the determination to resist the British rule. Georgia cast in her lot with her sister colonies. News of these events made great excitement in Savannah. On the night of May 11, 1775, a party of six men, led by Joseph Habersham, broke open the door of the powder magazine and took out all the ammunition. A part was sent to South Carolina, and the rest concealed in the cellars and garrets of the people's houses. Finally, some of it was sent to Boston, and was said to have been used at the battle of Bunker Hill.

The king's birthday was to be celebrated June 5, 1775. On the night of the 2d, a party collected together, spiked the battery guns, and threw them off the bluff into the river. The royalists hoisted them up again, drilled new holes, and went through the ceremony, hooted and jeered at by the people. A liberty pole was afterward put up by the colonists, and a flag placed at the top. About five hundred people paraded through the town with noise and defiance.

June 22d, a "Council of Safety," of fourteen members, was elected by the people of Savannah. They had the entire control of the affairs of the parish. William Ewen was chosen president. When they began the discharge of their duties they were, of course, opposed by the royalists, who followed Governor Wright and his orders. A young man named Hopkins made sport of their meeting. For this he was taken out to the public square, tarred and feathered, and paraded through the town amid the jeers of the people. He was carried to the liberty pole, and was threatened with hanging unless he drank a toast to the success of the American arms, which he hastened to do. He was then set free.

The population of Georgia at this time was 17,000 whites

and 15,000 blacks. The militia numbered 3,000 men. There were 40,000 Indians living in the interior to the west and south of the Georgia colony, with 10,000 warriors. It was fortunate that their friendship and peace were secured during the trying times of the War of the Revolution, which was fast approaching.

[In a report of the condition of Georgia in 1773, by Governor Wright, we are told that the territory of Georgia at this time embraced 6,695,429 acres. About 120,000 acres were improved and cultivated by 1,400 plantations. "The trade of the province is principally with Great Britain, from whence we are supplied with linens and woollens of all sorts; ironware of all sorts; hats, shoes, stockings, and all sorts of apparel; tea, paper, paints, and a great variety of other articles. To Great Britain we export deer-skins, rice, indigo, naval stores, and sundry other articles. We are supplied with rum and sugar from the West Indies; and also with rum, flour, and biscuit and other provisions from the northern colonies. To the West Indies we send rice, corn, peas, lumber, shingles, cattle, horses and live-stock; also barrelled beef and pork."]

[Among the many traders interested in the cession of lands in 1773 was George Galphin, one of the influential and enterprising citizens of the early history of Georgia. His home and depot of supplies was at Silver Bluff, on the Savannah River, a few miles below Augusta, on the Carolina side. His friendship and business relations, however, were nearly all with Georgians and Georgia Indians. His trade extended to Charleston, Savannah, St. Augustine, Pensacola, and Mobile.

The claim of George Galphin for debts due him by the Indians was not paid by Governor Wright, because Galphin sympathized with the colonists. War came on, the claim was transferred to the United States, and it was not until 1848 that the "Galphin Claim" was settled by the General Government, and paid to the heirs of the Indian trader of Silver Bluff.]

[William Ewen was a native of England, and came to Georgia in 1734 as an apprentice to the Trustees. His habits were correct, and his industry made him popular. He took an active interest in the complaints against the treatment of Georgia by the Trustees, and was brought into frequent collision with the president of the colony. When the struggle

for liberty began, he was among the first to take up arms in defence of the rights of the colony. In January, 1775, he was appointed member of the Council of Safety, and shortly afterward became president of that body. He lived to see Georgia an independent State, his country free from the yoke of Great Britain.]

QUESTIONS.

Who acted as governor during Governor Wright's absence? When did Governor Wright return to Georgia? What can you say of him at this time? What treaty was made at Augusta? What territory was gained by the treaty? What was the Boston Port Bill? What other measures made the colonists discontented? What resolutions of resistance were passed by the patriots of Savannah? How did they show their sympathy with the people of Boston? What can you say of Jonathan Bryan? What can you say of "Liberty Boys," "Whigs," "Tories"? What message did the delegates from the Provincial Congress send to the general or Continental Congress? What about General Gage and the battle of Lexington? What did Joseph Habersham and his party do? How was the king's birthday celebrated? What was the Council of Safety? Who was president? What can you tell of Hopkins? What was the population of Georgia at this time? What can you say of the Indians?

TOPICS.

Tell about—

1. Habersham's administration.
2. Governor Wright's return.
3. England's further acts.
4. How the colonists resisted.
5. Resolutions at Savannah.
6. Magazine broken open.
7. Disturbance on king's birthday.
8. "Council of Safety."

CHAPTER XV.

THE PEOPLE OVERTHROW THE GOVERNMENT OF THE KING.

"Believe us, great Sir, America is not divided; all men (Crown officers not excepted) speak of these acts and measures with disapprobation, and if there has been some difference of opinion as to the mode of relief, the rigorous experiments which your Ministry thought fit to try on the Americans have been the most effectual means to convince these of the iniquitous designs of your Ministry and to unite them all as in a common cause."—*Provincial Congress's Address to the King.*

ARCHIBALD BULLOCH.

GOVERNOR WRIGHT was alarmed at the way things looked in Georgia. He wrote a letter to the British general, Gage, asking for help. This letter was opened in South Carolina, the papers taken out, and another letter placed in the envelope, stating that Georgia was quiet and needed no help. Thus the royal government in Georgia had no aid from the British troops. The reason was not found out until years after, when Governor Wright, meeting General Gage in London, asked him why he had not sent soldiers to his relief.

Governor Wright had good reason to be alarmed. Meetings were being held all over the province and delegates elected to another Provincial Congress, which a Council of Safety had called to meet at Savannah on the 4th of July, 1775. On that day every parish was represented and by its leading men. They came by authority of the people and in defiance of the authority of the king. Colonel C. C. Jones calls this congress "Georgia's first secession convention." The delegates met in

the long room at Tondee's Tavern, and organized by electing Archibald Bulloch president of the congress, and George Walton secretary. Two days later resolutions were unanimously adopted, endorsing all that the Continental Congress had done, adopting the Bill of Rights published by that congress, forbidding all trade with England or with any province that did not agree to these resolutions, and binding themselves and their constituents, "by the ties of virtue, honor, and love of our country, to adhere to this association," until the objectionable acts of Parliament were repealed. A Council of Safety for the province was created, with power to act for the people when the Provincial Congress was not in session, and five delegates were elected to attend the Continental Congress then in session in Philadelphia. An address to the people of the province was prepared, setting forth what had been done in their name; also an address to the governor; and, as a last resort, a petition to the king, urging him to listen to the appeals of America.

While the Provincial Congress was in session, news came that a British ship would arrive shortly with fourteen thousand pounds of powder. The people made up their minds to capture this prize if they could. Commodore Bowen and Major Joseph Habersham, with a number of volunteers, went quietly down the river on a schooner armed and commissioned by the Provincial Congress. They boarded the ship as soon as it appeared off Tybee Island, and captured it. This was the first naval capture of the Revolution, and their schooner was the first war vessel commissioned by an American congress. Nine thousand pounds of powder were kept by Georgia, and five thousand sent to General George Washington, to help him to drive the British from Boston.

Royal power was now at an end in Georgia. The militia companies met and expelled all royalists from their ranks. The Council of Safety elected by the Provincial Congress took charge of the affairs of the province. A battalion of

soldiers was raised for defence against the British vessels and troops.

The Council of Safety ordered the arrest of Governor Wright and his assistants in January, 1776. Major Joseph Habersham undertook to do this aided by a few friends only. He went to the house of the governor, and, boldly entering, passed by the sentinel and found the governor surrounded by his council. Walking up to the governor, he put his hand on his shoulder and said: "Sir James, you are my prisoner." Thinking his captor was well supported, the governor surrendered, and the members of his council fled. A guard was placed over the house, but the governor escaped after three weeks, by stepping out of the back part of his house at night; and before his absence was discovered he was safe on board a British ship that was lying at the mouth of the river.

JOSEPH HABERSHAM.

Another Provincial Congress met in Savannah on the 22d of January, 1776, and Archibald Bulloch was elected president. Five delegates were elected to represent Georgia in the next Continental Congress at Philadelphia, and a committee was appointed to buy arms and ammunition for the province. To pay for these, bills of credit were issued, and it was made a penal offence in Georgia to refuse to receive them or to depreciate their value. The most important work of this congress was the adoption of certain rules and regulations under which they organized a government. The first government organized by the people of Georgia was very simple. All the legislative power was in the hands of the Provincial Congress; courts were organized in the name of the people for the trial of cases, and the chief executive power was vested in a president. Acting under this temporary constitution, the Congress elected Archibald Bulloch president and com-

mander-in-chief of Georgia, John Glenn chief-justice, William Stephens attorney-general, and James Jackson clerk of the court. Thus Archibald Bulloch, the distinguished patriot, who had been president of both Provincial Congresses, had the honor of being elected the first president of the first republican government organized on Georgia soil.

A number of vessels loaded with rice lay at the landing opposite Savannah, but, under the regulations of Congress, were not permitted to sail. Fearing these vessels would slip away, Captain Rice was detailed to disable them. British ships of war lay at the mouth of the river, and one night troops from these ships seized several of the vessels lying opposite Savannah. Captain Rice boarded one of the vessels the next morning and was captured by the British. When the people heard of this they were much excited. Colonel McIntosh, with three hundred men and several cannon, marched down to Yamacraw Bluff opposite the vessels and sent two officers to demand the release of Captain Rice. But these officers were also seized and held prisoners. Colonel McIntosh, through a speaking trumpet, demanded the return of his men. This was refused, and a number of shots were exchanged, but the British remained in possession of the vessels.

The Council of Safety ordered the vessels in the harbor to be set on fire in order to drive away the British troops. The ship *Inverness* was set on fire and cut loose. It drifted against the brig *Nelly*, which also took fire. These two burning ships drifted among the vessels which had been seized by the British. Several of these vessels caught fire and men and officers jumped overboard, some being drowned and others captured. Two ships escaped to the mouth of the river, carrying the Georgia officers with them. The Council arrested the royal chief-justice and other royalists and held them as hostages for the return of Rice and the other officers. After a long delay the officers were exchanged. South Carolina sent four hundred and fifty soldiers under Colonel Bull to help Georgia during this time.

August 10, 1776, news of the Declaration of Independence reached Georgia. It had been signed at Philadelphia, July 4th, by the delegates of the thirteen colonies. George Walton, Button Gwinnett, and Lyman Hall signed on behalf of Georgia. It took a long time for news to travel in those days. It had to be carried by men on horseback or in stages which could not go more than thirty or forty miles a day. When the news did reach Georgia it was received with great joy. A liberty flag was run up to the top of the liberty pole, at the base of which the Declaration was read by President Bulloch to great crowds of people, who shouted themselves hoarse with excitement. A great procession paraded the streets, the batteries and the ships fired salutes, a banquet was given, and the royal government was buried with muffled drum and trailing arms. At night speeches were made and bonfires lighted in the streets.

GEORGE WALTON.

BUTTON GWINNETT.

LYMAN HALL.

[In July, 1775, Archibald Bulloch, John Houstoun, Rev. Dr. Zubly, Dr. Lyman Hall, and Dr. Noble Wimberly Jones were elected delegates to the Continental Congress at Philadelphia. Dr. Lyman Hall and Dr. Noble Wimberly Jones were detained at home, but the other delegates took their seats on the 13th of September. Dr. Zubly had been a leader in opposition to the acts of Parliament, but his plan was for the provinces to force a repeal of these acts and a recognition of their consti-

tutional rights, after which they should renew their allegiance to the king. He found, however, on reaching Philadelphia, that the delegates were determined upon establishing a republic, and that his colleagues, Messrs. Bulloch and Houstoun, were heartily supporting this plan. His heart failed him, and he wrote to Governor Wright, telling him what was proposed. He was suspected, watched, and one of his letters seized. When Chase of Maryland alluded to this fact, Dr. Zubly abandoned his seat and returned to Georgia. He was banished from Savannah, but returned after that city was captured by the British, and died there in 1781.]

[In January, 1776, Archibald Bulloch, John Houstoun, Dr. Lyman Hall, Button Gwinnett, and George Walton were the delegates to the Continental Congress. Bulloch, being President of Georgia, could not leave the State, and John Houstoun was detained at home. They thus lost the honor of being among the signers of the Declaration of Independence with the other Georgia delegates.]

QUESTIONS.

What of Governor Wright's letter to General Gage? Why was Governor Wright alarmed? What occurred on the 4th of July? By whose authority? Who was elected president? How was Congress organized? What was done? What was the first naval capture of the Revolution? What of the militia companies? Describe the arrest of Governor Wright. When did the next Provincial Congress of Georgia meet? What was done? How did they pay for supplies? What was the most important work of the Congress? What sort of government did they organize? Who were the first officers of the Republic of Georgia? What of the vessels lying opposite Savannah? What news came in August, 1776? Who were the signers of the Declaration of independence for the State of Georgia? How was the news received?

TOPICS.

Tell about—

1. Governor Wright's letter.
2. The first Provincial Congress.
3. The first naval capture.
4. The arrest of Governor Wright.
5. The second Provincial Congress.
6. The Republic of Georgia.
7. Burning the merchant vessels.
8. The Declaration of Independence.

EPOCH IV.

Georgia an Independent State, 1776-1789.

CHAPTER XVI.

THE CONSTITUTION OF 1777—PERMANENT STATE ORGANIZATION.

"We therefore, the representatives of the people, from whom all power originates and for whose benefit all government is intended, by virtue of the power delegated to us, do ordain and declare, and it is hereby ordained and declared, that the following rules and regulations be adopted for the future government of this State."—*Extract from the first Constitution of the State of Georgia.*

FIRST GREAT SEAL OF THE STATE OF GEORGIA.
(*Obverse.*)

In order to understand the importance of the step taken by our forefathers in the year 1776, a little knowledge of Civil Government is necessary. A *Colony* is a body of people planted by some government on foreign soil, with no power to govern themselves. A *Province* is a district in which the people have a government provided for them by the power to which

they are subject, and they enjoy certain rights and privileges. A *State* is the whole body of people united for the purpose of government, and not in any way subject to any outside power. In some cases the people are united by a written agreement called a Constitution, but in others they are united simply by mutual consent. They must own the land upon which they live, and the other nations of the world must admit their right to establish a government. England, France, and Spain are states.

When Oglethorpe brought the first English settlers to this soil he established *The Colony of Georgia.* When King George II., in the year 1754, gave these settlers an established form of government in which they had certain rights, but were still subjects of the king, the colony became *The Province of Georgia.* When the people rebelled against the authority of the king and arrested and imprisoned the governor who represented him, they organized a government for themselves. The people thus united became *The State of Georgia.* The form of government which they selected for the State made it a republic.

The government first established for the new State of Georgia, April 15, 1776, was temporary, because the people were not strong enough to defend their government alone, and they waited to know that they would have the support of the other twelve States in the fight with England, which was sure to come. The Declaration of Independence assured them of this support, and as soon as the news reached Georgia a convention was called to adopt a written constitution and to establish a permanent government for the young republic. This convention met at Savannah in October, 1776.

The convention adopted a seal for the State, to take the place of the old provincial seal which had been used by the British governors and which was emblematic of their subjection to the king. The accompanying cuts show the two sides of the seal of 1777, with the devices and mottoes.

The first constitution consisted of sixty-three articles, and provided for a governor, a legislature, and a judiciary. Members of the legislature were to be elected in December of each year, and to meet in January following. The first duty of the legislature was to elect a governor, who should serve for one year, whose title should be Honorable, and an executive council, consisting of two of the members of the legislature from each county that had as many as ten representatives. The remaining representatives constituted the House of Assembly, which had the sole power of making laws. The speaker of the Assembly wore his hat when presiding.

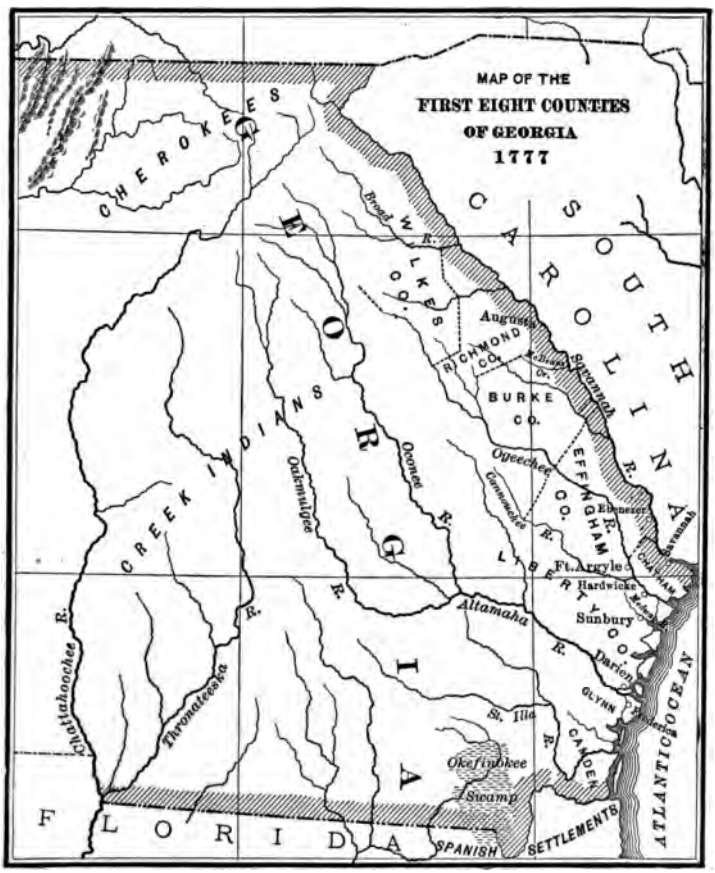
The Executive Council took the place of our Senate, but did not have the same power. Laws proposed in the House of Assembly were referred to the Executive Council, which could not make amendments, but could propose them to the Assembly. A committee of the Council coming into the House of Assembly to propose any amendment had the privilege of sitting with their hats on.

FIRST GREAT SEAL OF THE STATE OF GEORGIA.
(*Reverse.*)

No clergyman could be a member of the legislature. Every person who failed to vote in an election, except for a good reason, could be fined five pounds. Schools were to be established in each county and supported at the general expense of the State. Free toleration of

all religions should be guaranteed, provided they did not threaten the peace and safety of the State.

The twelve parishes were abolished, and the State was



divided into eight counties. The names of the first eight counties are Wilkes, Richmond, Burke, Effingham, Chatham, Glynn, Camden, and Liberty.

The first seven of these were named for English statesmen who had been the champions of the rights of the American colonies. The last one was so named on account of the devotion of the citizens of St. John's parish to the cause of liberty. It will be remembered that this parish alone sent a representative, Lyman Hall, to the meeting of the Continental Congress, and that two of its citizens, Lyman Hall and Button Gwinnett, had been signers of the Declaration of Independence.

The convention remained in session four months. It was the 5th of February, 1777, when the first permanent constitution of the State of Georgia was adopted. Archibald Bulloch was to continue as president until the legislature should elect the first governor.

Before the end of February President Bulloch died, and on the 4th of March Button Gwinnett (see sketch, p. 101) was elected by the Council of Safety president and commander-in-chief, to serve until a governor could be elected under the new constitution. Gwinnett at once issued a proclamation ordering a special election for members of a legislature, which he called to meet in Savannah the first Tuesday in May.

Lachlan McIntosh had recently been made a brigadier-general and placed in command of the Georgia forces.

Gwinnett had also been a candidate for the position of brigadier-general. When McIntosh was chosen Gwinnett was much disappointed. When Gwinnett became president and commander-in-chief, he resolved to ignore and humiliate his rival by heading in person an expedition against the British in Florida, who had invaded Georgia, captured Fort McIntosh, and committed other depredations. He did not allow McIntosh to accompany even his own brigade. But the expedition was badly planned, and failed in every particular.

While these things were going on, the special election for members of the legislature had been held, and the first legislature of the State of Georgia met in Savannah on the eighth day of May, 1777. Gwinnett was a candidate for the position

of governor, but John Adam Treutlen was elected by a large majority. General McIntosh was much gratified at the defeat of Gwinnett, and did not hesitate to say so. This provoked Gwinnett, who sent him a challenge to fight a duel. They met at sunrise within the limits of the present city of Savannah. They exchanged shots at the distance of twelve paces; both were wounded in the thigh. Gwinnett died twelve days after the duel. McIntosh recovered, and was transferred by the advice of his friends to the Continental army, in the western districts of Virginia and Pennsylvania.

HOUSE WHERE THE FIRST LEGISLATURE MET.

QUESTIONS.

What is a colony? A province? A state? When was Georgia a colony? When a province? When a state? What form of government was chosen? Why was the first government temporary? Why was the convention called? When did it meet? Describe the Great Seal. How was the government divided? How was the governor to be elected? Who constituted the Executive Council? What was the House of Assembly? Mention some provisions of the constitution. Name the first eight counties. Who succeeded President Bulloch? Explain the quarrel between Gwinnett and McIntosh. Who was the first governor of Georgia? What was the result of Gwinnett's defeat?

TOPICS.

Tell about—

1. How the State was established.
2. Provisions of the constitution.
3. The Great Seal of State.
4. The first eight counties.
5. The first governor.
6. The Gwinnett-McIntosh duel.

CHAPTER XVII.

THE BRITISH OVER-RUN GEORGIA.

"At this period Georgia occupied a very critical situation. Of all the colonies, none was so ill prepared to dispute the claims of the mother country. On the south, she was exposed to the attacks of the British from Florida; on the east, her coast was at the mercy of the foe; on the north and west, countless tribes of savages were ready to make inroads upon her population."—WHITE'S *Hist. Coll. of Georgia.*

JOHN A. TREUTLEN.

JOHN ADAM TREUTLEN, the first governor of the State of Georgia, was at once inaugurated. The Council of Safety was dissolved, and an Executive Council was elected under the constitution. During the months that followed, the people were busy fortifying the towns, collecting provisions, and preparing to stand the shock of war. Colonel Samuel Elbert succeeded McIntosh in command of the Georgia troops. Tories and Indians in East Florida made frequent raids into southern Georgia, murdering citizens, burning houses, and stealing cattle. These marauders were under the command of the notorious Colonel McGirth.

When the legislature met on January 17, 1778, John Houstoun was elected governor, Governor Treutlen being ineligible under the constitution for reëlection. Governor Houstoun, like Gwinnett, was very anxious to drive the British from East Florida.

Major-General Robert Howe, commander of the American army in the Southern States, had his headquarters at Savan-

nah. He was won over to Governor Houstoun's plans, and organized an expedition to capture East Florida. He marched the Georgia brigade to the St. Mary's River, and waited for other troops to arrive by sea. Hearing that a force of British were within fourteen miles of his camp, General Howe resolved to attack them without waiting for the other forces. The attack failed, however, and nothing came of the expedition.

While these events had been happening in Georgia, the War for Independence was being fought in the North. At first the king's armies had triumphed. They captured New York City and Philadelphia, and for a while held the entire State of New Jersey, with parts of New York and Connecticut. But the tide had turned. One of the king's armies, under General Burgoyne, had surrendered at Saratoga, and France, encouraged by this success, had recognized the States as independent, and promised to send soldiers and ships of war to assist them in resisting the king. Washington forced the British to abandon Philadelphia, and gradually all the lost territory was regained, so that, as the year 1778 drew to a close, nothing was left to the king except New York City and Newport.

Under these circumstances, the British general, Sir Henry Clinton, determined to conquer Georgia and South Carolina. He sent Colonel Campbell from New York to Savannah with a fleet of ten vessels and thirty-five hundred men, and at the same time he ordered General Augustin Prevost (*Pre-vo*), commander of the British forces in Florida, to invade Georgia from the south.

General Prevost organized two expeditions. One, under Lieutenant-Colonel Fuser, went by sea, and the other, under Lieutenant-Colonel Mark Prevost, marched overland. They were to meet at Sunbury. McGirth, with three hundred Tories and Indians, accompanied Lieutenant-Colonel Prevost. On the 19th of November the invaders entered Georgia and proceeded toward Sunbury. Colonel John Baker hastily collected some militia to oppose them, but was compelled to re-

treat. On the 24th a fight occurred near the Midway church, in which the Georgia militia were outnumbered and driven back. General James Screven, who was severely wounded, was taken prisoner by the British, and was killed by them after he had surrendered. Finding that Colonel Fuser had not reached Sunbury, Colonel Prevost burned the Midway church and returned to Florida, plundering and burning all the dwelling-houses within reach.

Colonel Fuser, having been delayed by head winds, reached Sunbury late in November, and summoned Colonel John McIntosh, in command of Fort Morris, to surrender. To this summons Colonel McIntosh made the bold reply: "Come and take it." Fuser, hearing of Prevost's return to Florida, raised the siege and retired to Frederica. The legislature of Georgia presented to Colonel McIntosh a sword, with the words "Come and take it" engraved upon it.

On the 27th of December, 1778, the fleet from New York under Colonel Campbell entered the Savannah River and anchored below the city. The news was brought to General Howe, and he at once set to work to defend Savannah.

The British landed a few miles south of Savannah, where they waited to learn Howe's position and strength. The Americans had chosen a strong position between a wooded swamp and the Savannah River. Their front was protected by a stream, the bridge over which had been burned, and by a ditch filled with water from the marsh. Here they awaited the attack confidently, although they had less than seven hundred men to oppose nearly three thousand British regulars.

The British commander thought the American position was too strong to be attacked in front, and he determined to find a way through the swamp by which he could pass around their lines and attack them in the rear. By chance, he met an old negro man who knew the roads and pointed out a path leading through the swamp directly to the rear of General Howe's army. This path had been left unguarded. Colonel Camp-

bell posted his artillery and drew up part of his force in line of battle before the American lines, as if about to make an attack, but secretly sent his light infantry through the swamp by the path, with the old negro as a guide.

While the Americans were engaged with the enemy in front, the regiments that had been sent through the swamp suddenly appeared on their flank and in the rear. At the same moment the British artillery opened fire and a charge was ordered all along the line. Surrounded and outnumbered, the Americans fought gallantly, but resistance was in vain, and they were driven from the field. The British pursued them into Savannah. Some were taken prisoners, some were wounded, and many were run through with the bayonet in the streets of Savannah by the British soldiers. General Howe, with the remnant of his army, retreated up the Savannah River, and two days later crossed into South Carolina, where he was relieved of his command, being superseded by General Benjamin Lincoln.

SALZBURGER CHURCH.

Savannah fell into the hands of the British, who plundered the houses of the patriots. Many of the leading citizens, including the aged Jonathan Bryan, were arrested and confined on prison ships. Colonel Campbell pressed on to Ebenezer, which he captured, and this place became a British out-

post for the rest of the war. The fine brick church of the Salzburgers, built in 1767, was used by the British troopers, first as a hospital, and then as a stable for their horses. This church is standing to-day.

General Augustin Prevost, marching overland from Florida with several thousand soldiers, reached Sunbury on the 9th of January, and captured Fort Morris, with its garrison of two hundred and twelve officers and men and all the stores of war. He then proceeded to Savannah, where he took command of the British forces in Georgia. Colonel Campbell, with a thousand men, was sent out from Savannah to capture Augusta, the only post in Georgia held by the Americans. Colonels Brown and McGirth commanded the advanced guard, and were defeated in Burke County by a band of Georgians under Colonels John Twiggs and Benjamin and William Few. Two days later they were again defeated, but Colonel Campbell coming to their assistance, the Georgians were forced to retreat, and Augusta was captured without a struggle. Colonel Brown, notorious for his cruelty, was left in command, and Colonel Campbell marched into Wilkes County. Many families fled to South Carolina. Georgia was thus completely occupied by the armies of the king.

Parties of royalists and Tories went through the country, burning houses, stealing property, and terrifying the people. A noted Tory named Boyd led a large band of these plunderers into Wilkes County. Colonel Pickens, of South Carolina, and Colonel John Dooly, of Georgia, with a small force, had crossed the Savannah River and had defeated the British forces at Carr's Fort, which they were besieging. They abandoned the siege and started in pursuit of Boyd, and were reënforced by one hundred dragoons under Colonel Clark. On the night of the 13th of February they camped at Clark's Creek, and early the next morning they surprised Boyd in his camp at Kettle Creek, where his men had turned out their horses and were preparing breakfast. A bloody fight fol-

lowed, in which Boyd was killed and his band captured or scattered. The Americans captured six hundred horses and a large quantity of arms and clothing. This victory at this time gave renewed courage to the patriots of Georgia, and is known as the battle of Kettle Creek.

Instances of adventure and hair-breadth escapes were frequent at this time. Desiring to know more about the defences of Augusta, Colonel Samuel Elbert sent a young lieutenant, named Hawkins, to get the information. Near an outpost Hawkins came suddenly upon three Tories. To avoid them was impossible, so he advanced and boldly inquired: "Who are you and where are you going?" They replied that they were on their way to join the British commander McGirth. Hawkins had on a British uniform, and so he said: "I am McGirth; but I take you to be rebels, and shall turn you over to my camp, near by." They protested their innocence, and upon the order of Hawkins placed their guns on the ground. No sooner had they done this than he levelled two pistols at them and shouted: "Hold up your hands!" They were greatly astonished, but obeyed the order, and were marched in front of Hawkins back to the American camp.

[Button Gwinnett was born in England, and came to Georgia in 1772. In 1776 he represented Georgia in the Continental Congress, and his name is affixed to the Declaration of Independence. He was a member of the convention of 1777 to frame a constitution for Georgia. On the death of Archibald Bulloch he became President of Georgia.]

[Of the birth and education of John Adam Treutlen but little is known. He was a member of the Provincial Congress of 1775, from the parish of St. Andrew. Having been driven out of Georgia by British and Tories, he moved to South Carolina, where he established himself, with his family, in a block-house. Here he met a most tragic death. Attacked by British and Tories, who deceived him by declaring that all they wanted was food, he unbarred his doors, when he was immediately taken out and "drawn and quartered" in the presence of his family. His grave is unmarked, and Georgia so far has failed to respect his memory by naming any county in his honor.]

[John Houstoun was among the earliest and most zealous patriots in the colony. He was appointed in 1775 to represent Georgia in the Continental Congress, and also in 1776. His name would have been signed to the Declaration of Independence, but he returned to counteract the evil influence of Dr. Zubly, who was opposed to the measure. In 1777 he was elected a member of the Executive Council, and, in 1778, became Governor of Georgia. He died at White Bluff, near Savannah, July 20, 1796.]

QUESTIONS.

What occurred during the administration of Governor Treutlen? Who succeeded him as governor? What expedition did he plan? Who commanded it? The result? What war was going on in the North? Give some of the events that had occurred. What did General Clinton now propose? What two expeditions did General Prevost organize? Who opposed the invaders? With what success? What of General McIntosh's defence of Fort Morris? What fleet appeared before Savannah? Describe the attack on the city. Why were the enemy successful? How did the British treat the inhabitants of Savannah? What place was Colonel Campbell sent to capture? How much of Georgia was held by the British at this time? Describe the battle of Kettle Creek. What of Hawkins's adventure?

TOPICS.

Tell about—

1. Governor Treutlen's administration.
2. Governor Houstoun's administration.
3. Expeditions against Savannah.
4. Capture of Savannah.
5. General Prevost's expedition.
6. Capture of Augusta.
7. Battle of Kettle Creek.
8. Lieutenant Hawkins's adventure.

CHAPTER XVIII.

THE PROGRESS OF THE WAR IN GEORGIA.

"Governor Wright, at Savannah, supported by the king's army, was striving to re-create the royal government; while at Augusta the members of the Supreme Executive Council, invested with unlimited powers, yet sadly deficient in all material appliances, were endeavoring to perpetuate the sovereignty of a republican State, just born into the sisterhood of nations, and to arm, feed, and clothe a patriot band, few in numbers yet brave of heart, fighting for home and property and liberty."—CHARLES C. JONES, JR.

DURING the months of January and February, 1779, while the British were in possession of Georgia, the southern division of the Continental army rested quietly at Purysburg on the Savannah River, in South Carolina, about forty miles above Savannah. At this point General Lincoln could protect the Carolinas from invasion while he was drilling and equipping the raw recruits sent in from the Carolinas. By the end of February he had collected about five thousand men in his camp, and he had at his command three or four thousand more at different points in South Carolina along the Savannah River. Colonel Campbell, in command of the British forces at Augusta, became very much alarmed at the situation. The defeat of Boyd at Kettle Creek had broken up the Tories, and Colonels Clark, Pickens, and Dooly were moving against Augusta from the north. A few thousand men thrown across the Savannah River would completely cut him off from the main body of the British army. In the latter part of February he hurriedly abandoned Augusta, not even taking time to destroy the military stores which he could not carry with him, and took a position at Hudson's Ferry, on the Savannah River, thirteen miles below the mouth of Brier Creek.

Although his army was badly armed and badly equipped,

General Lincoln felt that he was strong enough to make an effort to drive the British from Georgia, and on the 1st of March sent General Ashe, with twenty-three hundred men, across the Savannah River, to occupy a strong position and hold it until the entire American army could be concentrated there. General Ashe chose a position which he regarded as particularly strong, on the north side of Brier Creek. Feeling very confident of the strength of his position, he sent out various scouting parties, retaining only about eight hundred men in camp. Part of these were militia, armed with shotguns and rifles.

Colonel Campbell, hearing of General Lincoln's plans, determined to prevent the concentration by attacking and defeating General Ashe before the other generals could join him. The British commander, with nine hundred regulars, crossed Brier Creek some distance above General Ashe's position, and was not discovered until he arrived within a mile of the American camp. The long roll was sounded and the line of battle was hastily formed, but the poorly armed and raw recruits were no match for the British regulars. The American centre and right wing gave way at the first attack, and the men took refuge in the swamps of the Savannah River. Some swam to the South Carolina shore, but many were drowned in the attempt. The left wing, consisting of one hundred and fifty Georgia militia and sixty Continentals, under General Samuel Elbert and Colonel John McIntosh, made a gallant fight. Notwithstanding the overwhelming force against them, General Elbert continued the conflict until nearly every man in his command was either killed, wounded, or captured. He himself was taken prisoner.

General Ashe escaped with such of his command as could follow him through the swamps, leaving three hundred and forty men dead or prisoners, and nearly all his arms and camp equipments in the hands of the British. The large number of slain was due to the order of a British officer who cried out

to his men: "Every man of you that takes a prisoner shall lose his ration of rum." The enemy lost only sixteen men. This disaster was keenly felt by General Lincoln, who was compelled to abandon his campaign for the relief of Georgia.

In April following, General Lincoln decided to occupy Augusta in order to prevent supplies being sent in to the British army at Savannah; and leaving General Moultrie at Purysburg with twelve hundred men to protect Carolina, he set out for Augusta with about two thousand men. As soon as General Prevost heard of this he put his army in motion, crossed the river at Purysburg, and marched toward Charleston. General Lincoln hastened to protect Charleston, and General Prevost retreated to Savannah. A month later, General Lachlan McIntosh, who had distinguished himself under General Washington, was sent back to Georgia to take command of the forces in the State. He was second to General Lincoln, who remained in South Carolina with the main body of the army.

GENERAL LACHLAN McINTOSH.

When Savannah fell Governor Houstoun and the Council withdrew to Augusta and summoned the General Assembly to meet them in January to elect a Governor. But ten days later Colonel Campbell's troops occupied Augusta, and the State officers sought refuge in the Carolinas. Consequently there was no meeting of the Assembly. The State was without a regular governor and council. After Augusta was abandoned by the British, the legislature met there, but did not have a quorum. The few members present elected a new

executive council. John Wereat was elected President of the Council and acted as Governor.

France had sent a great fleet under Count d'Estaing to assist the States in their struggle for independence. This fleet remained for a while at Sandy Hook, intercepting British ships, and sailed to the West Indies to protect French interests. In August, 1779, General Lincoln, with the assistance of the French minister and Governor Rutledge of South Carolina, persuaded Count d'Estaing to bring his fleet to assist in recapturing Savannah. The French fleet consisted of twenty-two ships of the line, ten frigates, and one cutter. They reached the coast of Georgia the 1st of September.

General Prevost, in Savannah, hearing that the French fleet had come, sent orders for all outposts to fall back into the city, and for all boats to retire up the river. He began to fortify the city thoroughly, working the soldiers, sailors, and a large body of negroes night and day. The cannon were taken from the ships of war and mounted around the city, and a messenger was sent to Colonel Maitland at Port Royal to come at once to Savannah.

Among the outposts ordered into Savannah by Prevost was a large body of British under Captain French at Sunbury. They tried to bring five vessels, manned by forty sailors and a body of over a hundred soldiers, up by the coast inlets and canals to Savannah before the Americans could cut them off. But head winds delayed them, and they landed about fifteen miles from Savannah, hoping to march up into the city without being found out. The Americans heard of their presence, and Colonel John White, of the Georgia line, resolved to capture them if he could. When he told how he intended to do it, the officers laughed at him. He took only six men to help him, and quietly went by night to the neighborhood of the British camp. Here he and his companions built a number of camp fires such as would be used by a large force of men. They moved around the fires, showing themselves as much as

possible. Mounting horses, they galloped up and down the line of the camp fires, issuing orders in loud tones, as if commanding several hundred men. They appeared first at one end of the camp and then at the other in rapid succession. These movements deceived the British completely, who thought themselves surrounded by a large body of Americans.

At last Colonel White dashed into the British camp and rode up to the officer in command. "Surrender at once, sir," said he. "I am in command of the American soldiers you see yonder. They are restless for the attack, and I cannot restrain them any longer. If they fall upon your men they will cut your whole force to pieces." At this time a man dashed up on horseback and demanded of Colonel White, "Where shall I place the artillery, sir?" "Keep them back, sir, keep them back. The British will surrender," replied White in excited tones. "Go and send me six guides to Sunbury." The British officer thanked Colonel White for restraining his men, and readily surrendered. The six guides arrived and took charge of the prisoners, nearly one hundred and fifty in all. Colonel White went back, as he said, to hold his cavalry in check and prevent them rushing on the prisoners. The five vessels were burned, the guns and ammunition stored in a hiding-place, and the prisoners brought safely to the American lines at Sunbury.

D'Estaing moved up the river, capturing several vessels near Tybee. September 12th, he sailed up Vernon River and landed his troops at Beaulieu, the old home of President William Stephens. He then marched toward Savannah, and camped three miles from the city.

[John Wereat was an early and decided advocate of American liberty. He was a member of the first Provincial Congress in 1775, a speaker of the Provincial Congress of 1776. In 1782 the people west of Augusta suffered a great deal from lack of food. Wereat employed his negroes and boats for a considerable time in carrying rice to relieve their wants. He died in Bryan County in 1798.]

[Lachlan McIntosh was born in Scotland, 1725. His father had come to Georgia in 1736 with a company of Highlanders, and settled at Darien. Lachlan studied mathematics under Oglethorpe himself. He became a distinguished soldier, of whom Washington said: "I esteem him an officer of great merit and worth." He died in Savannah in 1806.]

QUESTIONS.

What of General Lincoln? Why was Augusta abandoned by the British? What were General Lincoln's plans? What of General Ashe? What did Colonel Campbell do? Describe the battle of Brier Creek. Why did General Lincoln abandon Georgia? What general took command in Georgia? What had become of the State officers? What of the French fleet? What did General Prevost do? Describe Col. John White's capture. What did D'Estaing do?

TOPICS.

Tell about—

1. Augusta's being abandoned.
2. General Lincoln's plans.
3. The battle of Brier Creek.
4. The State government.
5. The French fleet.
6. Colonel White's exploit.

CHAPTER XIX.

THE ATTACK UPON SAVANNAH.

"While I regret the misfortune, I feel very sensible pleasure in contemplating the gallant behavior of the officers and men of the French and American army; and it adds not a little to my consolation to learn that instead of the mutual reproaches which too often follow the failure of enterprises depending upon the coöperation of troops of different nations, their confidence in and esteem for each other are increased."—GEORGE WASHINGTON to GENERAL LINCOLN.

COUNT C. PULASKI.

ON the 15th of September, 1779, Count d'Estaing sent a letter to General Prevost, demanding the "surrender of Savannah to the arms of the King of France." The British defences were still incomplete; the cannon were not mounted, and it would have been impossible for them to offer a successful resistance if an assault had been made. General Prevost needed time to complete these defences, and so he proposed a truce for twenty-four hours, and promised to give his answer at the end of that time. Count d'Estaing consented, and most unfortunately for the American cause. During the night the fortifications were finished, and the British garrison was reënforced by the arrival of eight hundred soldiers under Colonel Maitland from Port Royal. At the end of the twenty-four hours General Prevost replied that he would hold the city until driven out of it.

On the 16th the American army under General Lincoln marched down from Ebenezer and took a position on the north side of the city. The American cavalry were west of the city,

and the French forces were camped south and southwest. Now a regular siege was begun. Short sallies, skirmishes, and firing of cannon occurred almost daily. The bombardment made no impression on the forts around the city, but the people of Savannah suffered a great deal. A letter written by an eye-witness describing the scene says: "The poor women and children have suffered beyond description. A number of them in Savannah have already been put to death by our bombs and cannon. A deserter has this moment come out, who gives an account that many of them were killed in their beds, and, amongst others, a poor woman with an infant in her arms was destroyed by a cannon-ball. They have all got into cellars, but even those do not escape the fury of our bombs."

When the siege had continued about three weeks, Count d'Estaing grew impatient. Many of his soldiers and sailors were sick, and the coming of autumn with its storms threatened his fleet. He therefore resolved to storm the works and capture the city, and General Lincoln unfortunately gave his consent. At three o'clock on the morning of October 9th, twenty-five hundred men were set in motion for the enemy's works. The assault was to have been made before the day dawned, but the troops were delayed by the darkness, and it was daylight when they reached the edge of the woods before the enemy's lines. The battle was begun by an attack on the left, intended to draw the attention of the British from the right, the real point to be attacked; but the British were not deceived by this, as a deserter had informed them of the plans, and they had posted their best soldiers where the assault was to be made. As soon as the cannon began firing on the left, the French troops moved forward. Count d'Estaing was at the head of the column, and led his soldiers up the breastworks to the very mouth of the cannon. His troops fell thickly about him, and he was wounded in the shoulder. The bravest men could not stand the deadly fire, and the column was driven back. Count d'Estaing rallied his troops,

re-formed his lines, and charged again, only to be again driven back. In the third charge he was again wounded, and was borne from the field.

At the same time an American column, led by Colonel Laurens, advanced toward Spring Hill redoubt, the strongest of all the forts. They were received with a galling fire from the guns of the fort. Many were cut down, but their comrades pressed on. They reached the ditch and passed it. They climbed the parapet, and planted on its top the flag of South Carolina, a flag that had been presented to the regiment by Mrs. Elliott, of Charleston. A storm of shot drove back the brave men, and cut down the staff of the flag. Sergeant William Jasper saw that it would fall into the hands of the British, and leaped again on the wall, seized the fallen flag, and carried it back to the regiment. At that moment he received a mortal wound. He was borne from the field, and on his death-bed said, "I have got my furlough;" and, pointing to his sword, continued: "That sword was presented to me by General Rutledge for my services in defence of Fort Moultrie. Give it to my father, and tell him that I have worn it with honor. If he should weep, say to him his son died in the hope of a better life. Tell Mrs. Elliott that I lost my life supporting the colors which she presented to our regiment."

Between the French and American armies, Count Pulaski, mounted on a beautiful black horse, rode at the head of the cavalry. The plan was for him to hold his command in reserve until the works were carried by one of the assaulting columns. In the midst of the conflict, Pulaski thought he saw an opening in the enemy's works, and resolved to charge through with his legion and a detachment of Georgia cavalry. Riding in advance, Pulaski shouted to his men to follow, and they rode at full speed after him. As they reached the gap between two batteries, a cross-fire poured a shower of shot into their ranks. Pulaski fell, wounded in the breast and in the thigh. In the retreat he was left where he

fell, but Captain Thomas Glascock, a young Georgian of Pulaski's legion, returned with a few men through a storm of shot and shell and rescued his wounded leader. Pulaski was placed on an American vessel, and was attended by the French surgeons, but he died a few days later on the way to Charleston, and his body was dropped into the ocean.

The repulse was complete. The French and American soldiers had done all that brave men could. The British forts could not be carried, and a thousand dead and wounded lay upon the field of battle. Two of the heroes of the Revolution, Count Pulaski and Sergeant Jasper, had sacrificed their lives for the liberty of Georgia. In after years the legislature named a county in honor of each, and the people of Savannah have erected in their public squares monuments to the men who gave their lives to redeem that city.

GENERAL THOMAS GLASCOCK.

The next day a truce was agreed upon, and the dead were buried. Count d'Estaing took his broken army on board his ships and sailed away. General Lincoln retreated to Ebenezer, and thence to Charleston. For the time, Georgia was again completely in the hands of the British.

[About this time there lived in Liberty County a famous partisan by the name of Robert Sallette, of whose exploits the following accounts have been written: "He appears to have been a sort of roving character, doing things in his own way. The Tories stood very much in dread of him, and well they might, for never had they a more formidable foe. On one occasion a Tory who possessed considerable property offered a reward of one hundred guineas to any person who would bring him Sallette's head. This was made known to our hero, who provided himself with a bag, in which he placed a pumpkin, and proceeded to the house of the Tory, and told him that, having understood he had offered one hundred guineas for Sallette's head, he had it with him, and that he

was ready to deliver it provided the money was first counted out for him. The Tory, believing that the bag contained Sallette's head, laid down the money, upon which Sallette pulled off his hat, and placing his hand upon his head, said: 'Here is Sallette's head.' This answer so frightened the Tory that he immediately took to his heels, but a well-directed shot from Sallette brought him to the ground."]

[Thomas Glascock, a son of William Glascock, Speaker of the House of Representatives, was born at Augusta, Ga. He served as captain in Pulaski's Legion. He subsequently became colonel in the war with the Creek Indians, and later was made brigadier-general. He was twice elected to Congress. He died at Decatur in 1841.]

QUESTIONS.

What letter did D'Estaing send to General Prevost? What reply did Prevost make? Why? What occurred during the truce? What did the American and French army then do? Describe the sufferings of the citizens during the bombardment. What did D'Estaing resolve to do, and why? Describe the first attack. Tell of D'Estaing's bravery, and how he was wounded. What of the American column? What of Sergeant Jasper? Tell how he was wounded. What did he say on his death-bed? Describe the conduct and death of Pulaski. What was the result of the attack on Savannah? How are Pulaski and Jasper honored? What did D'Estaing and Lincoln do?

TOPICS.

The Repulse at Savannah:

1. Summoned to surrender.
2. Prevost's strategy.
3. Bombardment.
4. The charge at daybreak.
5. D'Estaing wounded.
6. Death of Jasper.
7. Death of Pulaski.
8. The repulse.

CHAPTER XX.

AUGUSTA TAKEN AND RETAKEN.

"The condition of the republicans in Georgia was indeed deplorable. Driven from Savannah and the seaboard, compelled to evacuate Augusta, hemmed in by hostile Indians on the frontier, and confined mostly to a few scattered settlements in and around Wilkes County, they lived in daily peril, had almost daily skirmishes with regular Tories or Indians, were harassed with alarms, were surprised by ambuscades, were pierced with want, and had one long, bitter struggle for simple existence, with scarce a ray of hope to light up the future."—STEVENS' *History of Georgia.*

GENERAL ELIJAH CLARKE.

AFTER the repulse of the Americans, Sir James Wright, who had returned in July previous and resumed his office of governor of the province, issued a proclamation promising protection to all Georgians who would submit to British rule. He called a Provincial Assembly, which convened at Savannah in May following, and passed an act declaring all officers of the State of Georgia to be traitors and all their property forfeited to the crown.

At Augusta, John Wereat, president of the Council, was acting as governor. On the 4th of November, 1779, he issued a proclamation calling for the regular election, on the first Tuesday in December, of members of a General Assembly, to meet in Augusta in January following, and authorizing the citizens of the southern counties which were held by the British to cast their votes for delegates wherever it might be most convenient for them to do so. A few days after the proclama-

tion was issued, George Walton denounced as illegal the election of Wereat and the Council in August preceding. He persuaded a number of refugees from the southern counties, who had been members of the previous assemblies, to organize at Augusta a body called a General Assembly. This assembly, although unconstitutional, elected George Walton governor. Thus, at the time of sore trial the republic was divided into factions, and for over a month had two acting governors, neither of whom was legally elected. The General Assembly elected in December, 1779, met in Augusta on the 4th of January, 1780, and elected Richard Howley governor. The defenceless condition of Augusta made it so unsafe that the assembly designated Heard's Fort, where Washington, in Wilkes County, now stands, as a place of meeting if it became necessary to leave Augusta. A month later Heard's Fort became the temporary capital of the State of Georgia. Governor Howley left the State to take his seat in the Continental Congress, and George Wells, the president of the Council, acted as governor during his absence. Upon the death of President Wells on the 18th of February, Stephen Heard, of Wilkes County, was elected president of the Council, and acted as governor for some time.

Charleston fell in May, and Augusta was at once occupied by a British force under Colonels Brown and Grierson, two Tory officers. Brown was living in Augusta when the people rebelled against the king, and had given such offence to the citizens that he had been tarred and feathered and carried through the streets in a cart by an angry mob. He made his escape from Georgia, vowing vengeance against all patriots. Being now intrusted with the command of the British forces at Augusta, he had an opportunity for revenge. He seized all the property of the republicans, and then issued an order banishing them and their families beyond the limits of Georgia. All who remained were compelled to take the oath of allegiance to the king, and Colonel John Dooly, one of the

leading patriots, was murdered in his home, in the presence of his wife and children.

The patriots of Georgia and Carolina had not entirely lost heart. Colonel Elijah Clarke, who had been with the Continental army in North Carolina, returned home and set about collecting troops to retake Augusta. Five hundred men were gotten together, and on the 14th of September marched to Augusta. An attack was made on the Indian camp at Hawk's Gully, and Brown and Grierson, the British officers, came to their support. Being hotly pressed, the British took refuge in a strong building called Seymour's White House. This they defended. Colonel Clarke laid siege to the house for four days. Brown was wounded, and many of his men were killed. The British were on the point of starvation, and were nearly famished for water. They were about to surrender when reënforcements from Ninety-Six arrived, and the Americans were forced to retreat, leaving thirty wounded soldiers in the hands of the British.

The cruelty of Brown was again shown in his treatment of these wounded prisoners. He caused thirteen of them to be hanged just outside of his sick-room, on a staircase, where he could see them swing off. The others he gave up to the Indians to be tortured to death.

In May, 1781, Colonel Henry Lee, who was called "Light-Horse Harry," and was the father of General Robert E. Lee, arrived near Augusta with a body of troops. He came for the purpose of making another effort to take Augusta from the British. He was joined by General Pickens, of South Carolina, and Colonel Elijah Clarke, with a body of Georgia troops.

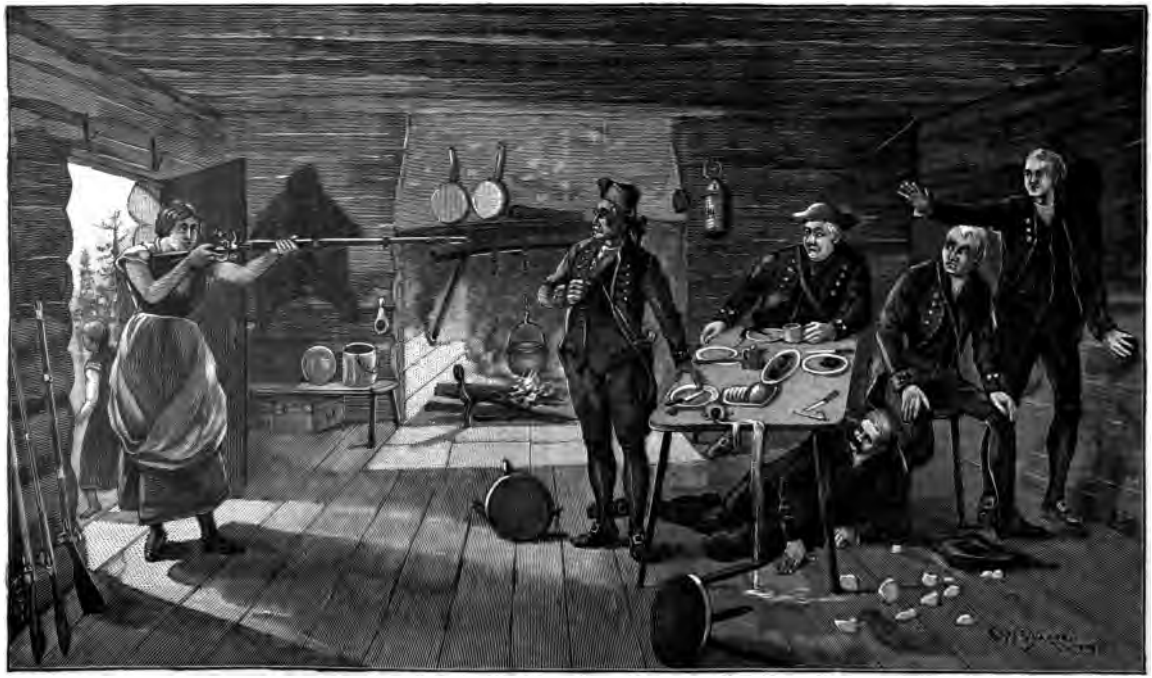
Clarke had found out that a large supply of Indian presents and firearms were placed in Fort Galphin, at Silver Bluff, on Beech Island, twelve miles below Augusta. He told Pickens and Lee of this, and they undertook to reduce this stockade fort before Brown could find out and defeat their intention. The attack was made with such spirit that the fort soon gave

up, with one hundred and twenty-six prisoners, besides arms, ammunition, blankets, and salt enough to supply the whole army. This fort had been named for George Galphin, an Indian trader, whose home had been upon the bluff. (See Note, Chapter XIV.)

Augusta was defended by Forts Grierson and Cornwallis, the former being on the site where the upper market stood, and the latter on the site of St. Paul's Church, with a large open plain between them. The British commanders, Brown and Grierson, had taken refuge in these forts. General Pickens formed his troops between the forts, and placed his batteries to play upon both. Just before the attack Grierson abandoned Fort Grierson, and tried to join Brown in Fort Cornwallis. The Americans were prepared for this move, and opened a deadly fire on the retreating garrison. Very few escaped; many were killed, and many captured. Colonel Grierson was taken prisoner, and shot by one of the Georgians on account of his cruelties to the people.

The Americans surrounded Fort Cornwallis, and began their plans to reduce it. The ground was so level and open that the fort could not be carried by storm. Colonel Lee proposed to erect a wooden tower, to fill it with brick and dirt, to mount cannon on the top of it, and thus to command the inside of the fort. The tower was built behind an old house, but Brown discovered the work and made several bloody sallies from the fort in order to destroy it. The tower was finished, cannon were placed upon it, and fire was opened upon the fort. Brown saw that further resistance was useless. He surrendered June 5, 1781, with all his arms and ammunition. The troops marched out, and were carried to Savannah. Brown was protected from the enraged people by a special escort. Augusta was again in the hands of the Americans. Major James Jackson was in command, while Pickens and Lee led their soldiers back into South Carolina.

To illustrate the heroism of the women at the time, the fol-



NANCY HART CAPTURING THE TORIES.

lowing anecdote is told of Nancy Hart, who lived on the frontier. She was tall, strong, fiery tempered, cross-eyed, and cordially hated the Tories. A party of these gave her a call and ordered a breakfast. Nancy soon had the smoking viands spread before them, and with apparent hospitality urged them to eat. They stacked their arms in one corner of her cabin, and sat down to the meal with jesting and mirth Quick as thought the dauntless woman sprang to the guns, jerked one up, cocked it, and with an oath swore she would shoot the first Tory that dared move. All were terror-stricken, for each thought from her cross-eyes that he was the one she was looking at. "Go," said she to one of her children, "and tell the Whigs that I have taken six base Tories." One of the men made a motion to advance upon her, and, true to her threat, she fired, and he fell dead upon the floor. Seizing another musket, she brought it to bear upon the others, in readiness to fire. By this time her husband and several Whigs had arrived, and, at Nancy's suggestion, who swore shooting was too good for them, the Tories were taken out and hanged. The place where her cabin stood is pointed out to-day in Hart County, a county named in her honor by the men of Georgia.

[General Elijah Clarke was born in North Carolina about 1735. He came to Georgia in 1774 and settled in Wilkes County. When the war broke out Clarke took the field, and the only regiment raised in upper Georgia was commanded by him. His famous Wilkes riflemen inspired the Whigs with hope and struck terror to the Tories and Indians. When Georgia and South Carolina were abandoned to the British, and the forces of the United States were withdrawn, Clarke alone kept the field, and his name spread terror through the whole line of British posts. Clarke was a man of fine presence, and of striking, bold, and resolute force. The State of Georgia, by act of the legislature, gave him a plantation in acknowledgment of his services. General Clarke died in his home in Wilkes County, December 15, 1779.]

[George Walton was born in Virginia in 1740, and received no other education save that he acquired by his own efforts. He was apprenticed to

a carpenter, but such was his zeal for knowledge that he studied at night by a light-wood fire, his master not allowing him a candle. He moved to Georgia and began to practise law. He was elected to Congress six times, and his name is signed to the Declaration of Independence. At the capture of Savannah he was taken prisoner, but was exchanged in 1779, a few months before he was elected governor. After the war he became judge of the Superior Court, and died in Augusta in 1804.]

[Richard Howley was a lawyer by profession. He represented Liberty County in the legislature, and was elected governor in January, 1780. When the State was overrun by the British, a council of officers was held near Augusta, in which they determined to retreat to North Carolina, and they narrowly escaped capture on the way. McCall says: "The value of paper money was at that time so depreciated that the governor dealt it out by the quire for a night's lodging for his party, and if the fare was anything extraordinary, the landlord received two quires."]

[Stephen Heard was born in Ireland, and with his father moved to Virginia during the period of the French war. Later on, when many families were moving from Virginia, Heard came to Georgia, and settled in Wilkes County. When the war broke out he joined Elijah Clarke and his riflemen, and served nobly at Kettle Creek and other battles. During a portion of the time when Georgia was overrun by the British he was president of the Executive Council. After the war he was one of the most influential citizens of Wilkes County.]

QUESTIONS.

What of Sir James Wright and the Provincial Assembly? What of John Wereat? How did Georgia have two acting governors? Who was elected governor in 1780? What of Heard's Fort? Who occupied Augusta in May? What of Brown? Describe Clarke's attack on Augusta. How did Brown show his cruelty? What of Col. Henry Lee? What happened at Fort Galphin? Describe the capture of Augusta. Tell the story of Nancy Hart.

TOPICS.

Tell about—

1. The British in Georgia.
2. The State government.
3. Brown in Augusta.
4. Elijah Clark's attack.
5. Capture of Fort Cornwallis.
6. Story of Nancy Hart.

CHAPTER XXI.

GEORGIA IS RECOGNIZED AS FREE AND INDEPENDENT.

"The duty we have done in Georgia was more difficult than that imposed upon the children of Israel. They had only to make bricks without straw, but we have had provision, forage, and almost every other apparatus of war to procure without money; boats, bridges, etc., to build without materials except those taken from the stump; and what was more difficult than all, to make Whigs out of Tories."—*Letter of* GENERAL WAYNE.

GENERAL ANTHONY WAYNE.

THE capture of Augusta restored all the northern counties to the Americans, and the Continental army in the State was strong enough to protect them from the advances of the British. The citizens who had been driven from their homes during the past two years now returned, and in August, 1781, the General Assembly met at Augusta and elected Dr. Nathan Brownson governor.

The British still held the city of Savannah, where Governor Wright was claiming to act as governor, but Ebenezer, on the Savannah River, and the posts on the Great Ogeechee Ferry and at Sunbury were the only outposts held by them. The Continental troops in Georgia were commanded by General Twiggs and Major James Jackson. Major Jackson attempted to take the Ogeechee post, but was forced to retreat. However, he compelled the British to abandon Ebenezer and retire to within a few miles of Savannah.

On the 19th of October, 1781, General Cornwallis, com-

mander of the British forces at Yorktown, Va., surrendered his entire army to General Washington. The news of this victory filled the patriots with joy, and the Tories lost heart. It was evident to every one that the States would win their independence. The British occupied only a few places in America, and the English people were not willing to equip new troops to continue the war.

In January, 1782, the General Assembly met at Augusta and elected John Martin governor. Although the people were rejoicing in the certainty of victory, much distress prevailed in Georgia. Food was scarce and sickness was general. Prices for all the necessaries of life were very high. Salt sold at two dollars a quart, and a pair of shoes for twenty-five or thirty dollars. As the farmers had turned soldiers, or had been driven from their homes, few crops had been raised, and a famine threatened the whole country.

The soldiers who were fighting the battle of liberty were only half-clothed and many of them barefooted. One hundred and fifty Virginia troops had marched three hundred miles barefoot over mountains and hills to join the Georgia army. When they arrived they were in great distress for shoes, and other clothing, but the people of Georgia were powerless to help them. It was difficult to furnish them even with food.

In January, 1782, General Anthony Wayne, known in history as "Mad Anthony," was sent to Georgia by the Continental Congress to take command of the Continental troops. He brought with him a body of dragoons and a detachment of artillery, and was joined soon after his arrival by three hundred mounted men from South Carolina. The presence of General Wayne's army greatly strengthened the State. Governor Martin at once issued proclamations, inviting all citizens who had submitted to the British rule to unite themselves with the State of Georgia, and calling upon the soldiers to desert the king. Many former citizens who had been com-

pelled to accept the protection of the British government, and some who had joined the British army, took advantage of this offer and came into General Wayne's camp.

The British were very much alarmed when they heard of General Wayne's arrival, and prepared to defend Savannah. The garrison there amounted to only a little over a thousand men, and these were scantily supplied with food and arms. The American army hemmed them in on all sides, and cut off supplies from every direction except by sea. The notorious Colonel Brown, who had collected a body of Indians near Ogeechee Ferry, was pursued by General Wayne. Wayne pushed through a thick swamp, reached the Indian camp in the dead of night, and drove Brown and his party into the woods. All the arms and horses of the party were captured, together with thirty prisoners. This was the last battle of the Revolution in Georgia.

In May, 1782, orders came from the king to Governor Wright to surrender Savannah and to return to England. Governor Wright opened correspondence with General Wayne, and all the details were arranged between them. The king had sent ships to take away the British soldiers and the Tories who had taken refuge in Savannah. By the 21st of July everything was ready for the departure of the British, and the American army was drawn up in dress parade to occupy the city. Major James Jackson had been selected by General Wayne to receive the city. This honor was conferred on him because of his bravery, and the prominent part he had taken in driving the British from Georgia. Governor Wright formally delivered the keys of Savannah to Major Jackson, and he marched into the city at the head of his troops. The first capital of Georgia, which had been held by the British for three and a half years, was again in the hands of the State.

Governor Martin and the other State officers came at once to Savannah. The legislature was called together and much

important business was transacted. The home of one of the royalists, which had been confiscated, was presented to Major James Jackson in recognition of his distinguished services. Two plantations were bought by the legislature, and one of these was presented to General Greene and the other to General Wayne, both of whom became citizens of Georgia.

The long war was over. Peace and liberty had come. A preliminary treaty of peace was signed at Versailles on the 30th of November, 1782, in which England recognized the independence of Georgia and the other States in America, and settled their boundaries. All the other states in Europe had already recognized the independence of the American States.

The final treaty of peace was not signed until September 3, 1783. This treaty made the Mississippi River the western boundary of Georgia, and the thirty-first parallel of latitude the southern boundary between the Mississippi River and the Chattahoochee. The same day England signed a treaty of peace with France and one with Spain, the two European states that had come to our assistance in our struggle for independence. All three treaties took effect at the same time. In the treaty with Spain, England ceded back to that nation East and West Florida. The northern boundary line of West Florida had originally been the thirty-first parallel of latitude; but a few years before the Revolution, the province had been extended northward to the mouth of the Yazoo River, and a line extending from that point east to the Chattahoochee had been made the northern boundary. The people of Georgia and the other States knew nothing of this change. But the Spanish troops under General Galvez, Governor of Louisiana, had captured the Floridas during the war and occupied the country along the Mississippi as far as the present site of Vicksburg, where they had a fort. If the student will draw this line on the map it will be seen that the territory between the mouth of the Yazoo River and the thirty-first parallel of latitude was in this way ceded to the United States as a part

of the State of Georgia, and also to Spain. Both Georgia and Spain claimed this territory, and a few years later a great deal of trouble grew out of the conflicting claims. The people of Georgia never admitted that the change of the northern boundary line of West Florida had been legally made.

[Anthony Wayne was born in Pennsylvania in 1746. He was a farmer and land surveyor. In 1775 he entered the Continental army as colonel, and distinguished himself throughout the Revolutionary War. After the war he became a citizen of Georgia, and lived upon the plantation which the legislature presented to him. He was a delegate from his county to the State Convention in 1787 to frame a constitution. He was one of the representatives from Georgia in the Second Congress of the United States, serving from October, 1791, to March, 1792. Major James Jackson contested his seat, and it was declared vacant. A new election was ordered, but he refused to be a candidate, and John Milledge was elected. Shortly after, he reëntered the military service of the United States, being commissioned Major-General and Commander-in-Chief of the armies sent against the Indians in the Northwest Territory. He died in December, 1796, and was buried in his native county of Chester, Pennsylvania.]

[Nathan Brownson was a physician of Liberty County. He was an early supporter of the rights of his country, and was connected with the Georgia Brigade as surgeon. He was quiet and dignified, and full of good sense. He died on his farm in Liberty County, 1796.]

[John Martin was an active defender of the rights and liberties of his country. He was a member of the first Provincial Congress. He entered the army as a captain, and afterwards rose to the rank of lieutenant-colonel. He represented Chatham County in the legislature. It was during his term of office that provisions were very scarce in Georgia. The legislature had to purchase supplies for the governor and council.]

QUESTIONS.

What was the result of the capture of Augusta? When and where did the General Assembly meet? Who was elected governor? What places were still held by the British? Who was acting as governor at Savannah? What event, important to the whole country, occurred in

October? What was the general effect of this surrender? Who was elected governor in 1782? What was the condition of affairs in Georgia at this time? Why were food and clothing so scarce? What general was now placed in command of the Continental troops in Georgia? What forces did he bring with him? What proclamations did Governor Martin issue? What of the capture of Colonel Brown? What orders came from the king? Describe the surrender of Savannah to the patriots. When was the treaty of peace signed? What disputes about boundaries afterwards arose out of this treaty? What officers were rewarded by the legislature for their services?

TOPICS.

1. The war in Georgia.
2. British posts.
3. Want and suffering.
4. General Wayne's advance.
5. Surrender of Savannah.
6. Treaty of peace.

CHAPTER XXII.

GEORGIA IN THE CONFEDERATION, 1783–1789.

"It affords me the most agreeable sensations to contemplate the happy change in the affairs of this country; and it is among the first of my wishes that you may long, long enjoy the blessings of freedom and independence."—GEN. NATHANAEL GREENE.

NATHANAEL GREENE.

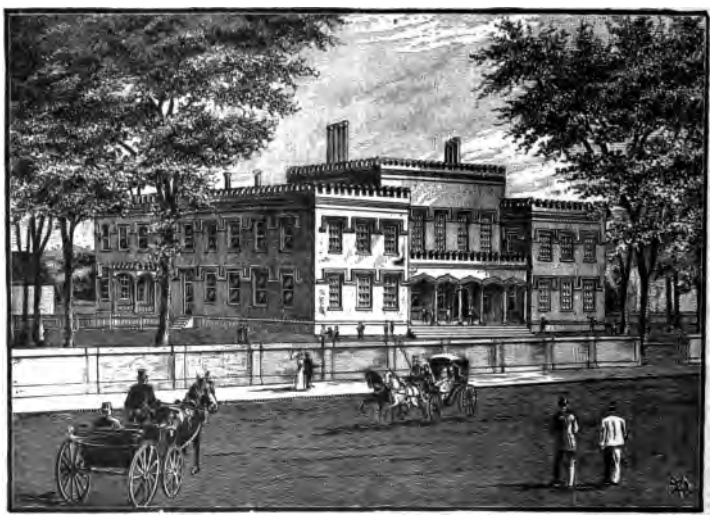
THE British had all left Georgia. The ill effects of the war were still felt, but the people cheerfully went to work to build up the State they had established and defended.

In 1783, Lyman Hall was elected governor. One of the first things to engage the attention of the legislature was the confiscation—that is, taking possession—of the lands, houses, stock, negroes, and other property belonging to those persons who had given help to England during the war. Their property was sold for the benefit of the State. The property of Sir James Wright, valued at $160,000, was confiscated. This was done because the king had confiscated all the property of the patriots in Georgia, while his troops held the State. The great Land Act of 1783 was passed by this legislature.

Now that the State was at peace within and without its borders, the attention of the people was turned to the subject of education. The Constitution of 1777 declared that "Schools shall be erected in each county and supported at the general expense." In July, 1783, the legislature established Richmond Academy at Augusta, and endowed it with a tract

of land. This academy was the first and is now the oldest chartered school in Georgia, and the present building stands upon the orginal survey of two thousand acres set apart as its endowment. The legislature also authorized the establishment of free schools in other counties. Chatham Academy was established five years later.

In November, 1783, commissioners for the State met the



RICHMOND ACADEMY, AUGUSTA, GA. CHARTERED 1783.

chiefs of the Creeks at Augusta and made a treaty with them by which the State received another cession of land to the north and west of Wilkes County.

In 1784, John Houstoun was elected governor. The new territory was at once laid out by the legislature into the counties of Franklin and Washington. To reward the brave patriots of the Revolution who had risked everything and lost much for their country, a tract of land was given to each one for a home, to be located in these new counties. The Land Court

was opened in Augusta, and warrants were given to over four thousand persons, all of whom had served the State in some way during the war. A warrant generally contained a grant of "two hundred and fifty acres of good land, which was to be exempt from taxation for ten years." These warrants were called Head-right Land Warrants. In addition to these, each head of a family had the right to locate a tract of land by paying a small fee. Grants were made to soldiers from other States who had served Georgia during the war. In this way many Virginians came to the State and settled on Broad River, where they were known for many years as the Virginia colony. They furnished some of the most prominent men of the State, and many of their descendants are now living in Wilkes, Columbia, Elbert, Lincoln, and other counties.

Special grants of land were made to other persons on account of their services to Georgia. Twenty thousand acres were granted to Count D'Estaing for his bravery at Savannah and his devotion to the cause of liberty. This gift greatly affected the noble count, who was then ill from a dangerous wound. He wrote a letter of grateful acceptance, in which he said: "The mark of its satisfaction which the State of Georgia was pleased to give me, after I had been wounded, was the most healing balm that could have been applied to my pains."

Besides distributing bounties to the soldiers, the Act of 1784 had still another great purpose. It contained provisions for granting forty thousand acres of land as "an endowment of a college or seminary of learning." This land was to be laid out of the new counties of Franklin and Washington and was the original endowment of the university. The purpose was to sell this land and use the money to build and equip the university which the legislature first intended to locate at the State capital. We shall learn more about this later on.

Savannah as the seat of State government was unsatisfactory to the people. In those days, when travelling was done by

stage or on horseback and generally over bad roads, the settlers in the back country or on the newly ceded lands found it difficult to go so far. In 1783 the Council resolved that the executive department, consisting of the governor and his Council, should meet in Augusta for three months, during June, July, and August. The legislature met there at the same time. For the next two years the legislature met in Savannah, but it adjourned in 1785 to meet in Augusta in

CHATHAM ACADEMY, SAVANNAH, GA. CHARTERED, 1788; REBUILT AND ENLARGED, 1908.

1786. The legislature of 1786, at Augusta, resolved to find another location for the State capital, and appointed commissioners to choose a suitable site, within "twenty miles of Galphin's old town," on the Savannah River, and to name the place Louisville. The government house and lot in Savannah were to be sold, and the money applied to purchasing the land and erecting the public buildings in Louisville. Until the

new capital was ready for occupation, it was decided that the place of meeting of the legislature, the residence of the governor and the other officers of the State House, should be at Augusta. In this way Augusta became the seat of government in 1786, and continued so for ten years.

There was a dispute of long standing between Georgia and South Carolina regarding boundary lines. South Carolina claimed that the northern line of Georgia should be run from the mouth of the Tugaloo River, since "the River Savannah loses its name at the mouth of the Tugaloo." Georgia claimed that the northern line should be run from the headwaters of the Keowee River.

South Carolina also claimed all the lands lying west of a line drawn from the headwaters of the St. Mary's River to the headwaters of the Altamaha River. South Carolina appealed to the Continental Congress in 1785, and a court was selected to hear both sides. Georgia was notified to appear and answer the complaint of South Carolina. Before this court could meet, however, the two States agreed to settle the dispute between themselves in a friendly way, and appointed commissioners, who met at Beaufort, in South Carolina, in 1789 and made a treaty known as the Treaty of Beaufort. The commissioners agreed that South Carolina had no just claims to any lands west of the Savannah River. This disposed of the claim of South Carolina for lands in the southern part of the State. They also agreed that the Tugaloo and not the Keowee was the main stream of the Savannah River, and that the northern line of Georgia was to be run due west from the most northerly branch of the Tugaloo River.

When the line was run it was found that a strip of territory twelve miles wide and extending to the Mississippi River was the property of South Carolina. South Carolina ceded this to the United States, by whom it was held until 1802.

A sad incident of the year 1786 was the death of Gen. Nathanael Greene. At the close of the war he had come to

Georgia to live, at a beautiful home fourteen miles above Savannah, called "Mulberry Grove," an estate granted him by the legislature. While at work on his farm he was overcome by the heat of the sun, and died in a few days. His body was brought down the river on a barge and met by a large procession of people. He was buried with military honors and mourned for by the whole nation. A few months before his death the legislature had ordered the county of Washington to be divided and a new county organized, named Greene, and a town laid out named Greenesborough.

In 1785 Samuel Elbert had been elected governor. He was succeeded in 1786 by Edward Telfair. In 1787 George Matthews was elected to this office. During his term Georgia took a very important step, which changed its relations to the other States. Of this we shall study in the next chapter.

[Lyman Hall was born in Connecticut, in 1731, and was a graduate of Yale College. He studied medicine, moved to South Carolina, and thence to St. John's Parish, or the County of Liberty, in Georgia. He represented Georgia in the Continental Congress, and was a signer of the Declaration of Independence. He moved to Burke County, where he died in the sixty-seventh year of his age.]

[Samuel Elbert was born in South Carolina in 1740. He was left an orphan at an early age, and came to Savannah looking for work. He was a member of the Council of Safety, and when the war broke out took the field as an officer of high rank and was engaged in a number of battles in Georgia and elsewhere, and was made major-general by the legislature. He died in Savannah in 1788.]

[Edward Telfair was born in Scotland in 1735. When twenty-three years old he came to Virginia as an agent of a mercantile house. He afterwards moved to North Carolina, and thence to Georgia, where he engaged in business in Savannah. He was a member of the brave band who, led by Joseph Habersham, broke open the powder magazine in Savannah. He was a member of the Continental Congress until 1783. He died in Savannah, September, 1807.]

[George Matthews was born in Virginia. At the beginning of the Revolution he joined the army of Washington. In a skirmish he was

taken prisoner, and confined on board a prison-ship in the harbor of New York. After his exchange he joined the army of General Greene. In 1785 he purchased a tract of land called the Goose Pond, on Broad River, in Georgia. He died in Augusta, in 1812, and was buried in St. Paul's churchyard.]

QUESTIONS.

What engaged the attention of the legislature of 1783? What did the Constitution of 1777 declare regarding schools? What of Richmond Academy? Chatham Academy? What cession was made in 1783? What two new counties were formed? What about rewarding the patriots? What court was opened? What did each warrant generally grant? What about the grant to D'Estaing? What was another purpose of the Land Act? What complaint was made regarding the location of the capital? What was decided on in 1786? How long did the legislature meet in Augusta? What dispute had arisen with South Carolina? Describe the Treaty of Beaufort. What of the twelve-mile strip? Relate the incident of the death of General Greene. Name the governors from 1783 to 1787.

TOPICS.

1. Confiscation.
2. Education.
3. Rewarding the patriots.
4. Endowing a university.
5. Changing the capital.
6. Treaty of Beaufort.
7. Death of General Greene.

EPOCH V.

Georgia in the Federal Union.

CHAPTER XXIII.

GEORGIA ENTERS THE UNION OF STATES.

"Georgia was the fourth State to ratify this great instrument which gave shape and permanence to a government for which the Americans had been struggling against oppression for twenty-five years."—*Stevens' History of Georgia.*

WHEN Georgia and the twelve other States first called themselves the United States of America, in 1776, they had *united* only in the Declaration of Independence and in fighting for liberty. The first written agreement which bound them together was the Articles of Confederation. These Articles were agreed upon in 1778, and at once ratified by Georgia; but they did not take effect until the last State signed them in 1781, when the war was nearly over. The United States as a Confederation had no President, no courts, and no congress like ours of to-day. There was only a congress usually known as the Continental Congress, to which each State sent delegates, but this body had no powers of government over the States.

After peace was made with England it soon became evident that the Articles of Confederation were not equal to the needs of the country. George Washington said: "We are thirteen independent sovereignties, eternally counteracting each other." A closer union of these separate States was needed. For this purpose a general convention of delegates

from each State met in Philadelphia, and in September, 1787, agreed upon a Constitution of the United States which was to be submitted to each State for its adoption or rejection. This Constitution proposed to unite the thirteen States into one federal republic and to establish a government for the Union.

ABRAM BALDWIN.

A great English statesman, William E. Gladstone, has said of it: "The American Constitution is the most wonderful work ever struck off at a given time by the brain and purpose of man." The Constitution was signed by Abram Baldwin and William Few, from Georgia.

It was now necessary for each State to decide for itself whether it would accept this Constitution of the United States and thus enter the Union, or reject it and stay out of the Union. For this purpose the legislature of Georgia called a convention to meet in Augusta to consider the Constitution, "and to adopt or reject any part or the whole thereof."

WILLIAM FEW.

The leading men of the State were elected as delegates to this convention. John Wereat was chosen President. After due consideration the Constitution was adopted without any change, January 2, 1788, and Georgia thus agreed to enter the Union of the States. Georgia was the fourth State to ratify the Constitution. When the last name was signed to the resolution of agreement, a body of soldiers, stationed near the house where the convention was in session, fired a salute of thirteen guns in honor of the event.

The first election under the Constitution was held in January, 1789, and the 4th of March following was fixed as the date when the old confederation should be dissolved and the new government of the United States be organized. The first Congress was to meet in New York city, then the seat of government of the United States, but when the 4th of March came only a few members were present, and it was late in April before a majority of the newly elected senators and representatives from the different States arrived. James Gunn and William Few were the first two United States senators from Georgia, and Abram Baldwin, James Jackson, and George Matthews were the Representatives from Georgia in this first Congress. On the 30th of April, George Washington was inaugurated first President of the United States. During his second administration, Joseph Habersham, of Georgia, was appointed postmaster-general of the United States.

The adoption of the Constitution of the United States made it necessary to revise the Constitution of Georgia. A convention for that purpose met in Augusta in November, 1788, and after twenty days of deliberation a new State Constitution was agreed upon. This new Constitution was printed and distributed over the State, and made subject to another convention which met in Augusta in January, 1789. This convention met and proposed certain changes, and called a third convention to meet the following May. This last convention adopted the Constitution for the State, known as the Constitution of 1789. It was agreed to by the governor, and a salute of eleven guns was fired in honor of the eleven States which had thus far ratified the Constitution of the United States.

The Constitution of 1789 was an improvement on the Constitution of 1777, and showed that the people had made progress in the matter of self-government. The Executive Council was abolished and a Senate was established, with powers similar to those of the Senate of to-day. The governor was to serve two years instead of one.

In 1788 George Handley was elected governor, and served while the Constitution was undergoing revision. He was succeeded in January, 1789, by George Walton. The new Constitution went into effect in October, 1789. Edward Telfair was elected the first governor under the new Constitution.

Scarcely had the new governor been inaugurated, when the State was called on to join the nation in a day of thanksgiving and prayer. November 26, 1789, the people of Georgia observed their first Thanksgiving day, with grateful hearts to the Almighty for many and signal favors, "especially by affording them an opportunity peaceably to establish a form of government for their safety and happiness."

December, 1790, the State was divided into three Congressional districts. The counties of Camden, Glynn, Liberty, Chatham, and Effingham composed the lower district; Burke, Richmond and Washington, the middle district; Wilkes, Franklin, and Greene, the upper district. James Jackson was elected to represent the lower district; Abram Baldwin, the middle district; George Matthews, the upper district.

George Washington, the first President of the United States, made a visit to Georgia in May, 1791. When he reached Savannah he was met by a large gathering of people from all over the State. An escort of horse travelled with him through the country up to Augusta, where the governor and the people warmly welcomed him. At Augusta he visited the Richmond Academy and listened to an exhibition of declamation by the students. He was so pleased with the speakers and the performance of the young orators that he secured a list of their names, and on his return home sent each of them a book. Washington remained in Georgia one week, and on the day of his leaving was escorted to the bridge over the Savannah River by the governor and his officers.

[The names of the delegates who represented Georgia at different times in the Continental Congress, during the Confederation, are as follows: Abram Baldwin, Nathan Brownson, Archibald Bulloch, Joseph Clay,

William Few, William Gibbons, Button Gwinnett, John Habersham, Lyman Hall, John Houstoun, William Houstoun, Richard Howley, Noble Wimberly Jones, Edward Langworthy, William Pierce, Edward Telfair, George Walton, Joseph Wood, John J. Zubly.]

[George Handley was born in England, in 1752, and came to Savannah at the beginning of the Revolution. He was engaged in the main battles of Georgia and South Carolina. At the close of the war he moved to Augusta. He held various other offices until his death in 1793.]

[William Few was born in Maryland in 1748. He was descended from William Ffew, who came to this country with William Penn. After studying law, he began practice in Augusta. He was in the Continental Congress, and in the convention that framed the Federal Constitution. He died in New York in 1828.]

QUESTIONS.

What was now the condition of the thirteen American colonies? What of the Articles of Confederation? What did George Washington say? What was needed? When, where, and by whom was the Constitution of the United States agreed upon? What has Gladstone said of it? Who signed on behalf of Georgia? Describe the way Georgia entered the Union? When did the government of the United States begin? Who were the Senators from Georgia? The Representatives? Who was postmaster-general from Georgia? What can you say of the Constitution of 1789? Who was the first Governor under this Constitution? Mention other Governors at this time. Describe the first Thanksgiving day. What about the Congressional districts? Describe the visit of Washington to Georgia.

TOPICS.

1. Constitution of the United States.
2. How adopted by Georgia.
3. The Constitution of 1789.
4. Other events of 1789–1791.

CHAPTER XXIV.

ELI WHITNEY AND THE COTTON GIN.

"What Peter the Great did to make Russia dominant, Eli Whitney's invention of the Cotton Gin has more than equalled in its relation to the power and progress of the United States."—MACAULAY.

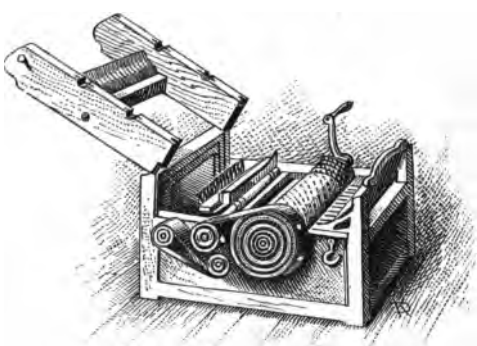
COTTON was not known to the people of Georgia, except as a garden plant, until after the Revolutionary war, at which time it was said that there was a plantation of thirty acres of green seed cotton under culture near Savannah. In 1784 eight bags of cotton were shipped to England, and seized on the ground that so much cotton could not be produced in the United States. In 1786 sea-island cotton was first raised on the coast of Georgia, and two years later its exportation was commenced by Alexander Bissell, of St. Simon's Island. The seeds were obtained from the Bahamas. It was not difficult to separate the lint from the seed of the sea-island cotton, but this valuable staple grows only on the islands and along the coasts.

The cotton which grows everywhere else in Georgia is called the short-staple cotton, and the lint adheres very firmly to the seed. There was a machine for cleaning the long-staple cotton, but the upland cotton had to be picked from the seed by hand. A negro could not clean more than a pound of upland cotton in one day. A man and his family could hardly pick out more than eight or ten pounds. If a large crop was planted there were not hands enough to separate the seed from the lint.

This kept the farmers from planting upland cotton. It was not a profitable crop. They raised corn, wheat, oats, live stock, and other things. In the year 1791 only three hundred and

ninety-nine bales of cotton were exported from all the United States.

About this time a young man named Eli Whitney was living in Georgia at the home of Mrs. Nathanael Greene, fourteen miles above Savannah. He was born in Massachusetts, and having just graduated at Yale College, had come South toward the end of 1792 to teach school and practise law. Mrs. Greene had invited him to make her house his home. While there he had made several things that gave her confidence in his power of invention. One day some visitors at the house of Mrs. Greene were regretting that it was such a hard matter to clean the upland cotton, and said that it was a pity that there was not a machine for this purpose. Mrs. Greene said, "Ask Mr. Whitney to make a machine for you. He can make anything." Some raw cotton and cotton seed were given to Whitney, who had never seen any up to that time. He at once set to work to see what he could do.



WHITNEY COTTON GIN.

He labored for several months under much difficulty. He had to make his own wire and tools. Mrs. Greene and another friend were the only persons permitted to see the machine, but others heard of it, and were so anxious to know how it would work that before it was quite finished the shop was broken open and his model machine carried off. The result of this was that Whitney's idea became known, and before he could make another machine and get it patented there were others in operation based upon his invention.

Whitney made another machine which was a complete success. The accompanying cut is a picture of the original cotton gin which he invented and patented. He built a factory to make his machines, near Augusta, and about two miles south of the city the dam is still to be seen which held the water to run his works. These machines were at first called cotton engines, but this name was soon contracted into "cotton gins."

A few years later he went to Connecticut and began to manufacture his cotton gins on a large scale. So valuable was the gin that the legislature of South Carolina granted him $50,000 for the use of his invention. North Carolina also gave him a royalty on the use of his gins for five years. Farmers now began to plant cotton in the uplands. By using the cotton gin a planter could clean for market a thousand pounds of cotton a day instead of five or six as before by hand. This made a rapid increase in the amount of cotton raised. Eight years after this invention seven thousand bales of cotton were exported from Georgia alone, and the number has increased steadily ever since.

Whitney was a great benefactor to the cotton States. His invention made the raising of cotton the great industry of the people of the South and the chief source of their wealth. Lands that had been regarded of little value were now sought for and planted in cotton. New towns grew up all over the State.

Another event of the same year excited as much interest at the time as the invention of the cotton gin. A citizen of South Carolina named Chisholm brought suit against the State of Georgia in the Supreme Court of the United States. The officers of Georgia refused to recognize the summons or to permit lawyers to appear for the State. They held that each State was a sovereign. Now a sovereign, being supreme, cannot be sued by a citizen. Therefore, they declared, the clause of the Constitution which authorized the suit was void from

the very nature of things. The court decided in favor of Chisholm, but Governor Telfair threatened to imprison any marshal who attempted to execute the decree. The other States all agreed that each State was a sovereign, but there was a difference of opinion as to the authority of the court under the Constitution. To settle this question forever, the eleventh amendment to the Constitution was proposed and adopted. This amendment recognized the sovereignty of each State by declaring distinctly that the Constitution should not be construed to give citizens power to sue a State. Its adoption was due to Georgia's firm stand in the historic case "Chisholm *versus* the State of Georgia." The Chisholm suit was then abandoned.

[The Mexicans and Peruvians appear to have understood the manufacture of cotton cloth long before Columbus discovered America. Columbus found the plant growing wild in the West Indies, and Cortes gathered it in abundance to quilt the jackets of his soldiers as a protection against the arms and darts of the Mexicans. In the United States cotton seeds were first planted as an experiment in 1621. In the province of Carolina the growth of the cotton plant is noticed in 1666.]

QUESTIONS.

What about the planting of cotton up to this time? What of short-staple cotton? What of sea-island cotton? How was lint separated from the seed? How much cotton was exported from the United States in 1791? What of Eli Whitney? Tell the story of the invention of the cotton gin. What was the effect of the invention? How was Eli Whitney a benefactor to the cotton States? What was the Chisholm case?

TOPICS.

Let the pupil tell—

1. Why cotton planting was unprofitable.
2. Who Eli Whitney was.
3. How Whitney happened to invent the gin.
4. The difficulty of his labors.
5. The success of his machine.
6. The eleventh amendment to the Constitution.

CHAPTER XXV.

YAZOO FRAUD.

"The last legislature, not confining itself to the powers with which that body was constitutionally invested, did usurp a power to pass the obnoxious act, contrary to constitutional authority and repugnant to the democratical form of government of the State."—*Rescinding Act.*

JARED IRWIN.

In November, 1793, George Matthews was chosen a second time governor of Georgia. While he was governor an event occurred known as the "Yazoo Fraud," which for many years was the cause of great excitement and bitterness.

The territory of the State of Georgia at this time embraced nearly all the present States of Alabama and Mississippi. Georgia's claim to that part of this territory called British West Florida, was disputed by Spain, and also by the general government. We need not consider these disputes here. It is enough to know that Georgia did possess large tracts of land west of the Chattahoochee River.

In 1789, four stock companies were formed for the purpose of purchasing from the legislature of Georgia a part of this western land. They were called Yazoo companies, from the Yazoo River, which ran through the territory proposed to be purchased.

was at once passed by both houses and signed by Governor Irwin, February 13, 1796. This declared that the sale of the Yazoo lands was not binding on the State, and that the money paid into the treasury should be given back to the Yazoo companies and the grants be considered void.

It was resolved to burn the papers of the Yazoo Act, and to purge the records of everything relating to it. February 15, 1796, wood was piled in front of the State House, and ignited by a burning-glass, in order that fire drawn from the heavens might consume the offensive papers. The Senate and House of Representatives marched out in solemn procession. When they reached the fire they formed a circle around it and reverently removed their hats. The committee appointed to obtain the papers and records handed them to the president of the Senate. He passed them to the speaker of the House. They were then given to the clerk, and finally to the messenger. The messenger approached the fire and uttered these words: "God save the State! and long preserve her rights! and may every attempt to injure them perish as these corrupt acts now do!" He then threw the papers into the fire and they were burned to ashes. The members returned to the Capitol and work was resumed.

The Yazoo companies refused to accept the proposed return of their money. They claimed the right to keep the land they had bought from the State, and carried their claims into the courts, and even before the Congress of the United States.

After Georgia ceded to the general government in 1802 its territory west of the Chattahoochee River, the claim of the Yazoo companies became a claim against the United States. The Supreme Court decided that the title of the companies to the lands which they had bought was valid, and the general government was forced to purchase the right to these lands from the Yazoo companies for large sums of money.

While Georgia owned this western land the legislature had organized the district around Natchez into a county called

Bourbon. Justices of the Peace were appointed, among whom was Thomas Marston Green, who in after years performed the marriage ceremony of General Andrew Jackson and Mrs. Rachel Robards, on Georgia soil. Owing to the fact that Spain held this territory, the act was repealed after three years.

[Jared Irwin was a faithful soldier in the Revolutionary war, and served in various campaigns against the Indians. He lived in Burke County in early life, but afterwards moved to Washington County. He was a brigadier-general of militia. He was a member of the various conventions for revising the Constitution of Georgia. He was president of the State Senate at different times from 1790 to 1818. He died in Washington County at the age of sixty-eight years.]

[The details of the appearance of the old State House were furnished by Mr. William Fleming, of Jefferson County. The man with the burning-glass in his hand is James Jackson ; next to him stands Thomas Glascock ; then John Milledge. The man on the right is William Few, while Jared Irwin stands behind the messenger. David B. Mitchell stands behind Jackson, and Peter Early behind Few. Benjamin Taliaferro, David Meriwether, and David Emanuel were also present on this occasion.]

QUESTIONS.

Who became governor in 1793 ? What of Georgia territory at this time ? What of the Yazoo companies in 1789 ? Why named Yazoo ? What was the result of the first attempt to buy the western lands ? What were formed in 1794 ? What was the action of Matthews ? Name the four companies. What was the size of the territory and the amount paid for it ? How was the Yazoo sale considered by the people ? What of James Jackson ? What of the Constitutional Convention of 1795 ? What city became the permanent seat of government ? Who was elected governor in 1796 ? What act was passed by the legislature ? Describe the fate of the Yazoo papers. What finally became of the claim of the Yazoo companies ?

TOPICS.

1. Western territory.
2. First Yazoo companies.
3. Yazoo Act.
4. Rescinding of Act.
5. Burning the papers.
6. Final settlement.

CHAPTER XXVI.

CONSTITUTION OF 1798.

"The experience of sixty years has demonstrated the wisdom of the Constitution of '98. It has undergone but few changes, and these were rendered necessary by the changes in the condition of the country."—JOSEPH HENRY LUMPKIN.

GOV. JAMES JACKSON.

JANUARY, 1798, James Jackson was elected governor. His recent course in regard to the Yazoo Act had made him the idol of the people. His administration was marked for the adoption of the great Constitution of 1798.

As we have already seen, the first Constitution of Georgia was adopted February 5, 1777, soon after the people had formed a State government. After Georgia entered the Union, this Constitution was revised, and in October, 1789, another Constitution went into effect. This Constitution was further considered by a convention which met at Louisville in May, 1795. On account of the disturbed state of affairs but few changes were made. Another convention was ordered to be held in 1798. This last convention finally adopted the Constitution that lasted the State for over half a century.

A convention of fifty-six delegates from twenty-one counties met in Louisville, the capital, May, 1798, "for the purpose of taking into consideration the further alterations necessary to be made in the Constitution." Among some of the prominent men of the convention were Governor James Jackson, Jared Irwin, Jesse Mercer, Robert Watkins, Benjamin Taliaferro, Thomas Glascock, and Peter J. Carnes.

Jared Irwin, the late governor, was elected president of

the convention. The session lasted three weeks, and every article was carefully considered before it was adopted. The Constitution was then drawn up on parchment, signed by the members, the Great Seal of the State was attached, and it was deposited in the office of the secretary of state. When the signal was given that the last name was signed to this great instrument, a salute of sixteen guns was fired by an artillery company stationed near by.

The Constitution declared that the legislative, executive, and judiciary departments of the government should be kept separate and distinct. The *legislative power* was vested in a Senate, consisting of one member from each of the twenty-four counties, and in a House of Representatives, composed of sixty-two members. These two branches made up the legislature or General Assembly, which was to meet once a year.

The *executive power* was vested in a governor, who was to be elected every two years by the legislature. He was the commander-in-chief of the army, navy, and militia of the State, had power to grant pardons, fill vacant offices, and his consent was required to all acts of the legislature. There was also a secretary of state, a treasurer, and a surveyor-general.

The *judicial powers* of the State were vested in superior and inferior courts. Each court was required to sit in each county twice a year.

The boundary lines of the State were defined, and the efforts of the preceding legislature to dispose of large tracts of the western territory were declared "constitutionally void." The freedom of the press and trial by jury were to remain inviolate; the writ of habeas corpus was not to be suspended; free exercise of religion was guaranteed, and the importation of slaves after October, 1798, was forbidden.

In compliance with the direction of the constitutional convention, a new great Seal of the State was adopted by the legislature of 1799. The seal consisted of a round disk about two inches in diameter. On one side (the obverse) were three

pillars supporting an arch with the word "Constitution" engraved on it. This represented the three departments of the government upholding the Constitution of the State. Engraved on a wreath around one pillar was the word "Wisdom," meaning that the legislature should be wise in making the laws; on another, the word "Justice," that the courts should be just in their decisions; on another, "Moderation," that the executive should administer the laws without severity. Near the left-hand pillar was a man with a drawn sword, representing the military defence of the State. The inscription on this side was "State of Georgia, 1799."

GEORGIA STATE SEAL, 1799.
(*Obverse.*)

On the other side (the reverse) was a view of the seashore with a ship bearing a flag of the United States and riding at anchor near a wharf with hogsheads of tobacco and bales of cotton on board. This represented the exports of the State. At a little distance was a boat from the interior, landing hogsheads, boxes, etc. This represented the trade from the interior. In the background was a man in the act of ploughing, and a flock of sheep shaded by a flourishing tree. This represented agriculture and grazing. Around all was the motto, "Agriculture and Commerce.—1799."

This seal was placed in the office of the secretary of state to be attached to all official papers of the State government, and is the seal used at the present day.

It is of interest to know that it was the first intention to engrave the words, "Wisdom, Justice, and Moderation" on the bases of the three pillars, but the artist found it impossible to make the letters large enough to be read. It was then changed to the present design.

GEORGIA STATE SEAL, 1799.
(*Reverse.*)

To improve the judiciary system, the State was divided into three superior court districts, viz.: the Eastern Circuit, the Middle Circuit, and the Western Circuit. There were eight counties in each circuit. David B. Mitchell, George Walton, and Thomas P. Carnes were elected judges of the superior courts of the three circuits. The three judges were required to alternate in the circuits, so that no two successive terms of court in a county should be held by the same judge. The courts were held twice a year in each county, and each court had a clerk and a sheriff. There was no supreme court as yet, but the judges of the superior courts met once a year at the seat of government to decide difficult points of law and constitutional questions.

Since this chapter marks the close of the century, let us take a view of the condition of the State. The population had increased to about 163,000, having gained nearly 80,000 in ten years. The population of Savannah, the chief town, was over 5,000. The exports were valued at $1,750,000. These were principally rice, indigo, corn, cotton, sago, naval stores, leather, deer skins, myrtle, snake root, live stock, and lumber. The chief imports were West India produce, dry goods, wines, teas, beef, butter, cheese, potatoes, cider.

[James Jackson was born in England, in 1757, and came to Savannah when he was but fifteen years of age. He began the study of law, but laid aside his studies to engage in the disputes with Great Britain. After the fall of Savannah in 1778, in company with John Milledge he went to South Carolina to join the forces of General Moultrie. As they were marching through the country, barefoot and ragged, they were seized as spies by some American soldiers, and came near being hanged before the mistake was discovered. At the battle of Cowpens, Jackson distinguished himself for bravery, and soon afterwards was made a lieutenant-colonel. He was present at the siege of Augusta, and added much to the success of the American arms. In 1782, when the British evacuated Savannah, General Wayne appointed Colonel Jackson to receive the surrender of the town. When only thirty-one years of age he was elected governor of Georgia, but refused to serve. He held nearly every high office in the gift of his State, and died in 1806 when acting as United States Senator.]

QUESTIONS.

Who became governor in 1798? What about the various constitutions up to this time? What convention met in 1798? When? Where? Mention some prominent members. Who was president? Describe the legislative power. The executive power. The judicial power. Mention some other provisions of the Constitution. When was the great seal adopted? Describe the obverse side. The reverse. Describe the Superior Court district. What about the judge? Give a statistical review of the State at this time.

TOPICS.

1. Constitution of 1798.
2. Great Seal of State (1799).
3. Improving the judiciary.
4. Statistical review.

CHAPTER XXVII.

THE UNIVERSITY FOUNDED.—WESTERN TERRITORY CEDED.

"We must say that Georgia merits peculiar honor in being among the first States to make provision for a State University, and in passing most wholesome laws for securing to her sons the blessings of a liberal education on her own soil."—*Stevens' History of Georgia.*

JAMES JACKSON had been elected to the United States Senate to succeed James Gunn, and resigned his position as governor. By the provisions of the Constitution, David Emanuel, who was president of the senate, became governor in March, 1801, and held that office until the legislature could meet. When the legislature met in November following, Josiah Tatnall was elected governor. The father of Governor Tatnall, being a royalist, had been among those banished by the State in 1782, and his property had been confiscated. After the legislature had elected his son governor, their good will was shown by an act which recalled the banished father and restored him to full rights as a citizen. When the act was carried to the governor's office he signed it as follows: "With lively expression of gratitude I affix my signature to this act."

We have already seen in another chapter that the legislature had set apart a large tract of land as an endowment for a university. In 1785 an act was passed "for the more full and complete establishment of a public seat of learning in this State." This act provided for a Board of Visitors and for a Board of Trustees. These two bodies united composed "The Senatus Academicus of the University of Georgia," whose object was "to consult and advise, not only upon the affairs of the university, but also to remedy the defects and advance

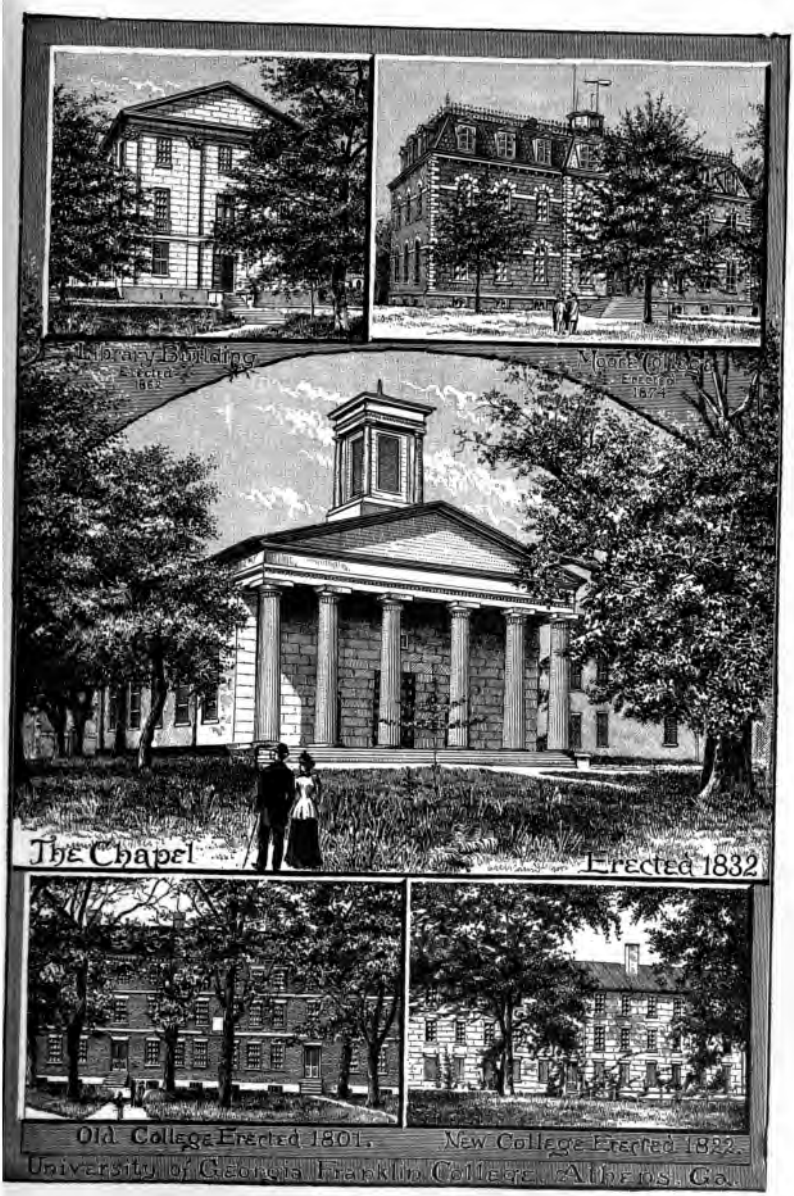
the interests of literature through the State in general." In 1786 the trustees were authorized to lay out the town of Greenesborough on lands belonging to the university, and sell lots therein, and with the money thus raised to promote the interests of "learning and science." The money secured from the sale of these town lots in after years was used to pay in part for the buildings of the university at Athens.

The legislature had broad and liberal ideas of what constituted a university. They intended it to embrace all the schools and academies in the State, and an institution of learning of the highest order located at the capital. The Senatus Academicus had power to visit and examine all the schools in Georgia supported by public money, and appoint all the teachers. The legislature intended that every county should have free schools and an academy, and that all should be united under the supervision and direction of the Senatus Academicus, and be a part of the university.

Fourteen years later, the legislature repealed the act locating the seat of the university at the State capital, and gave the Senatus Academicus the power to select any suitable place, provided it should be in one of the seven counties of Jackson, Franklin, Hancock, Greene, Oglethorpe, Wilkes, or Warren.

In 1800 the board elected Josiah Meigs president, and in 1801 selected a tract of land in Jackson County as the site of the college. This tract contained six hundred and thirty-three acres, and was bought by John Milledge, who presented it to the trustees. Upon this land college buildings were erected, and a town laid out and named Athens. Town lots were sold to raise money for the university.

The college was opened in 1802, and in 1805 was named Franklin College. This was intended as a central college for the State and a part of the university plan, and is still in operation as the literary department of the university. President Meigs began the work of the university before the buildings were completed and while there were only two houses in


Library Building
Erected
1862
Moore College
Erected
1874
The Chapel
Erected 1832
Old College Erected 1801.
New College Erected 1822.
University of Georgia Franklin College Athens, Ga.

Athens. Recitations were often heard and lectures delivered under the shade of the trees, and for years President Meigs had almost the entire instruction of the college, aided only by a tutor or by some of the students. There was no library or apparatus, and the president alone taught as many as sixty young men.

In the spring of 1804 the first commencement was held in the open air under a large oak tree. There were ten graduates. President Meigs, in a letter to John Milledge in 1805, wrote: "Your institution has taken a strong root and will flourish; and I feel some degree of pride in reflecting that a century hence, when this nascent village shall embosom a thousand of the Georgia youths, it will now and then be said that you gave this land and I was on the forlorn hope."

An agreement was made in the year 1802, between the State of Georgia and the United States, by which Georgia ceded to the general government all that portion of her territory lying west of the present boundary line. It was an immense tract of valuable land, embracing almost the entire extent of the present States of Alabama and Mississippi. The ceded lands amounted to about eighty millions of acres.

The conditions of this grant were as follows:

1. Out of the proceeds of the sale of these lands, the United States shall give to Georgia $1,250,000.

2. All persons who are settled within this territory shall be confirmed in their titles by the United States government.

3. The ceded lands shall be a public fund to be distributed by the United States in the usual way of disposing of public lands.

4. The United States at their own expense shall extinguish, for the use of Georgia, as soon as the same can be peaceably done on reasonable terms, the Indian titles to the county of Tallassee, to the lands occupied by the Creeks, and to those between the forks of the Oconee and Ocmulgee rivers, for which several objects the President of the United States shall

order a treaty to be held at once with the Indians. In like manner the United States shall extinguish the Indian titles to all the other lands within the State of Georgia.

5. The territory thus ceded shall form a State as soon as it shall contain sixty thousand inhabitants, and as such be admitted into the Union.

In the same year the United States ceded to Georgia that part of the twelve-mile strip which lay north of the State. This made the thirty-fifth parallel the northern boundary.

These articles were agreed to by the legislature of Georgia June 16, 1802. This made the present western and northern boundaries of the State of Georgia, which have remained unchanged ever since. Soon after this all the money which had been paid into the treasury of Georgia by the Yazoo companies was turned over to the United States, and the dispute with these companies, so far as Georgia was concerned, was ended.

By these articles of agreement, it was directed that a treaty be held at once with the Creek Indians for the purpose of extinguishing their claim to the lands of Georgia, and making limits for their homes and hunting grounds. In June, 1802, three commissioners, for the United States, met the Creeks at Fort Wilkinson, on the Oconee River, just below the site of the present city of Milledgeville. Forty chiefs and warriors were present, who were the head men of the Creek nation. The Indians signed a treaty ceding to the United States a large body of land west of the Oconee River, and also a strip of land extending from the Altamaha to the St. Mary's River.

[The exact boundaries of the two cessions of land referred to in this chapter, and of all other cessions, can be seen by reference to the map showing the cession of lands by the Indians.]

[David Emanuel had come to Georgia in 1770, and settled in Burke County. He had taken arms in defence of the State, and during the war of the Revolution had been active and brave. On one occasion he

and two of his friends were captured by a party of British, and carried to McBean Creek, in Burke County, to be shot. A large fire being kindled, Emanuel and his two friends were stripped of their clothes, placed near the fire, and three soldiers were ordered to shoot them. At the discharge of the guns the two friends fell dead, but Emanuel, being unhurt, leaped over the fire and made good his escape.]

[Josiah Tatnall was born near Savannah. At an early age he was put on board a man-of-war, bound for India, to prevent his return to Georgia. He managed to find his way back to America, and landed near Savannah, when he was only eighteen years old. He travelled on foot up the river, and joined the army of General Wayne. The war was near an end, however, and he was not called into active service. Afterwards, he occupied many military positions, and was actively engaged against the Indians. He died in the West Indies in 1804, but his body was brought back to Savannah at his dying request, and placed in the burial ground at Bonaventure, near Savannah.]

QUESTIONS.

How did Emanuel become governor in 1801? Who was elected in November following? What graceful act was passed by the legislature? What was the Senatus Academicus of the university? How was money to be raised for the buildings? What about the views of the legislature? What was done fourteen years after? When was the present site chosen? What of the gift of John Milledge? Who was the first president of the university? Describe the beginning; the first commencement; the letter of Meigs in 1805. What agreement was made in 1802? What were the conditions? What treaty was held in 1802?

TOPICS.

Founding the university:

1. Original university plan.
2. Choosing a site.
3. The first years.

Cession of 1802:

1. Territory granted.
2. Conditions of grant.
3. Treaty with Indians.

CHAPTER XXVIII.

LAND LOTTERY AND HEAD RIGHTS.

"Men and the soil constitute the strength and wealth of nations; and the faster you plant the men the sooner you can draw on both."—GEORGE M. TROUP.

JOHN MILLEDGE.

THE legislature of 1802 elected John Milledge, the revolutionary patriot and the generous friend of education, to be governor of Georgia. In 1804 he was reëlected for another term.

The land obtained by the treaty with the Creeks at Fort Wilkinson was divided into the counties of Wayne, Wilkinson, and Baldwin. These were surveyed at the public expense and divided into lots of various sizes.

These lots were distributed among the people by a plan called the *land lottery*. The system of the lottery was as follows: tickets, numbered to correspond with the numbers of the lots, were put in boxes along with many blank tickets. The persons entitled to draw were: "all free white males twenty-one years of age or older; every married man, with children, under age; widows with children, and all families of orphan minors." Lists of these persons were made out in each county, and sent to the governor, who caused the drawing to be held under the care of five managers. Many persons drew blanks. Others were fortunate, and plots and grants of their lots were given to them signed by the governor and having the great Seal of the State attached.

Twelve months after receiving his grant each person had to pay into the treasury the sum of four dollars for every hundred acres of land in his lot. These lots varied in size, some being two hundred and two and one-half acres, others four hundred acres. Those who failed to pay the required sum lost their titles to the land.

The act which provided for this distribution of the public lands is known as the Land Lottery Act of 1803. Under this act and in the manner above described all lands west of the Oconee River were distributed as they were acquired from the Indians. All the lands that lie east of the Oconee were distributed by an older and different plan, known as the Head-right System. The Oconee River is the dividing line between the Head-right titles and the Land Lottery titles. The object of both systems was to induce the people to move into the new counties and cultivate the lands.

The old Head-right warrants differed in many features from the Lottery. By the Head-right System "each master or head of a family" was allowed in his own head right to select and survey a body of unoccupied land to suit himself. Then after paying the expense of the survey and a small price for all land over two hundred acres, he secured a title called a Head-right Land Warrant. This warrant of survey was his title to the land described in it, provided that no one had already settled on the same tract. But the plan was not a good one. Only the rich lands were surveyed. Poor sections were neglected. Warrants for the same tract of land were sometimes issued to two different persons, which caused strife and confusion. This plan was abandoned for the better scheme of the Land Lottery.

Now that the western lands had been ceded to the United States and the general government had agreed to extinguish the Indian title to all lands in the limits of Georgia, it was decided to remove the capital from Louisville to the centre of the State. Therefore, at the same session of the legislature, 1803,

a resolution was passed selecting a suitable spot at the head of navigation of the Oconee River, as a site for the new capital, which was named Milledgeville, in honor of John Milledge, then governor of the State.

Another Indian treaty for a cession of land was made with the United States in 1805. Henry Dearborn, Secretary of War, met six chiefs at Washington city, and bargained with them for the purchase of the remaining lands, between the Ocmulgee and Oconee rivers, as far as the present northwest boundary line of Morgan and Jasper counties. The treaty also provided that the United States might build forts, factories, and trading-houses among the Indians. A horse-path was to be kept open through the Creek country, and travellers were to be allowed to pass through in safety. In consideration of all this the United States gave the Indians a large sum of money.

In March, 1806, Jackson died in Washington city, lamented by all the people of Georgia. He was buried four miles from Washington city, but afterwards his body was placed in the burying-ground of Congress. On his tomb are these words:

"To the memory of General James Jackson, of Georgia, who deserved and enjoyed the confidence of a grateful country—a soldier of the Revolution."

Honorable and noble in all his actions, he was devoted to Georgia. A little while before his death he said: "If after death my heart can be opened, there will be found written on it the word 'Georgia.'"

Governor Milledge was elected United States Senator by the legislature at an extra session in June, 1806, and in September following tendered his resignation as governor. In this way, Jared Irwin, President of the Senate, again became governor, and when the legislature met in November he was elected to that office for a full term.

On March 4th of the next year, Abraham Baldwin, who had

been elected to succeed Josiah Tattnall in the United States Senate in 1799, died in Washington city, and George Jones was appointed to fill the vacancy. When the legislature met, William H. Crawford, from Oglethorpe County, a leading lawyer and a member of the Lower House of Congress, was elected to succeed him.

[The ancestors of John Milledge came to Georgia with Oglethorpe. He was born in Savannah in 1757, and received the best education that the colony could afford. He was one of the brave men who took Governor Wright prisoner in his own house. When Savannah was captured by the British, he with his friend, James Jackson, retreated into South Carolina on foot. They were mistaken for spies by a party of Americans and came near being hanged. He was present at the attempt to retake Savannah from the British. He was also active in South Carolina and in the attacks upon Augusta, and always showed much bravery. He resisted with all his influence the Yazoo fraud, and was prominent among those who brought about the Rescinding Act. He died in 1818 at his home on the Sand Hills, near Augusta.]

[Abraham Baldwin was born in Connecticut in 1754. He was graduated at Yale College, and after the Revolutionary War moved to Savannah. He began the practice of the law. He was a member of the Legislature, a delegate to the Continental Congress, and a member of the United States Constitutional Convention. He was a member of Congress for ten years, and afterwards a United States Senator for seven years. He was president *pro tempore* of the Senate from 1801 to the time of his death, March, 1807.]

QUESTIONS.

Who was elected governor in 1802? What new counties were formed? Describe the land lottery. What river is the dividing line between land-lottery and head-right titles? Describe the head-right system. What site was selected for a new capital? For whom was it named? What lands were gained by the treaty of 1805? Tell about the death of Jackson. Who succeeded him as senator? Who became governor in 1806? When did Abraham Baldwin die? Who succeeded him?

TOPICS.

1. Land lottery.
2. Head rights.
3. Treaty of 1805.
4. Death of Jackson and Baldwin.

CHAPTER XXIX.

INTERNAL IMPROVEMENTS.

"Instead of decaying cities and a vacillating trade she will witness the proud and animating spectacle of maritime towns restored and flourishing, new ones rising up—her trade steadily increasing—her lands augmented in value and improved in cultivation—the face of the country beautified and adorned, and all this within the compass of her own resources, provided the ordinary economy be employed to husband, cherish, and improve them."—GEORGE M. TROUP.

DAVID B. MITCHELL.

THE location of the boundary line between North Carolina and Georgia was a source of trouble for several years. In 1806 a surveyor was sent by the legislature to locate the thirty-fifth degree of north latitude and to run a line between the two States. North Carolina sent a surveyor for the same purpose, but these surveyors could not agree in their observations, and nothing was done. In 1807 another effort was made by two expert surveyors and the surveyor-general, who were provided with the best instruments. North Carolina would not take part in this survey. The boundary was unsettled until several years later, when the United States appointed commissioners under whose direction the line was run.

The legislature held its session in the new capitol building at Milledgeville for the first time in 1807. The contract for the building was made two years before, and the work was now nearly done. The house was built of brick, on a high hill in the centre of a large park. It was a large building, and at that

time was thought very elegant. It had ample rooms for the legislature, and offices for all the departments of government. Here the great men of the State assembled, and in legislatures and conventions shaped the policy of Georgia for over half a century.

Milledgeville was still a small town when the legislature first met there. Not a hundred lots had been sold, and only a few

OLD CAPITOL AT MILLEDGEVILLE.

of these paid for. The town grew and prospered. A few years later a grand mansion was built by the people, in which the governors lived during their terms of office. Many wealthy citizens made Milledgeville their home, and as the capital city of Georgia it soon became famous as a centre of refinement and culture.

David B. Mitchell was elected by the legislature in November, 1809, to succeed Jared Irwin as governor. At the same session Charles Tait, of Elbert County, was elected United

States Senator in place of John Milledge, who had resigned. Governor Mitchell's message to the legislature was full of suggestions for improving the public roads and clearing the rivers. In those days people did not travel by steamboats and railroad trains. The usual mode of going from place to place was by stage-coaches which held about ten or fifteen persons, and were drawn by horses, travelling twenty or thirty miles a day. It took nearly two months to go from Georgia to New York. It was important to have good roads for these coaches. The farmers hauled their produce to market sometimes hundreds of miles, or floated it down the rivers on rafts. An act was passed to clear the Savannah River and to forbid placing any obstruction in its stream. Shortly afterwards measures were taken to open Broad, Oconee, and Ogeechee rivers so that these streams might be navigable for small boats and rafts.

The idea of running boats by steam had occurred to William Longstreet, of Augusta, Ga., as early as 1788. It was several years, however, before he could get money to build his boat and to provide an engine. Longstreet's boat, like other great inventions, was made sport of; indeed it must have been a queer-looking craft. His idea was to have the boat propelled by a series of poles so arranged on a shaft that as the shaft turned on its axis the poles would strike the bottom of the river, and push the boat along. This was certainly very clumsy; but a boat of this kind was made and put on the Savannah River in 1806, and moved by steam power.

Robert Fulton's boat, the *Clermont*, made its trial trip on the Hudson River in August of 1807. He made use of paddle-wheels to strike the water instead of poles to strike the river bottom. Paddle-wheels were a great improvement, and Robert Fulton is called the inventor of the steamboat. To him belongs the idea of paddle-wheels, while to William Longstreet belongs the honor of having first made a boat run by steam power.

In 1810 the "Agricultural Society of Georgia" was incor-

porated by the legislature. The object of this society was to collect information about farming and to suggest better methods to the farmers of the State.

Few factories of any kind then existed. The people had turned their attention mainly to farming, to the lumber trade, and to raising cattle. In the year 1810 a factory was built by the Wilkes Manufacturing Company, with a capital of $10,000. About the same time another was built on Little River, in Morgan County; but neither prospered and both were abandoned.

The first bank in Georgia was chartered in 1810. It was the "Bank of Augusta." The Planter's Bank was chartered a few days later. Mount Zion Academy and Powellton Academy were started in 1811, and were famous schools in their day. Other academies and schools appeared in all the settlements. In 1812 many academies all over the State were chartered, and each had some aid from the legislature.

The population of the State by the census of 1810, white and colored, had reached about 250,000. The exports amounted to $2,500,000, having increased nearly a million dollars in ten years. Savannah was still the largest city, with a population of about 5,000. It was the main harbor, although much shipping was done by Brunswick, Darien, and St. Mary's. Augusta was still a small town with a good trade.

By the apportionment based on this census Georgia was entitled to six representatives in Congress.

[David B. Mitchell was born in Scotland in 1766. His uncle died in Georgia, leaving him some property, and he came to Savannah in 1788 to take possession of it. He studied law, and was the clerk of a committee appointed to revise the code of criminal laws of the State. In 1795 he was elected Solicitor-General of Georgia. He was a member of the Legislature which passed the Yazoo Act, and voted against it. In 1805 he was elected Major-General of the First Division of Georgia Militia. After serving twice as governor, he was appointed State Agent to the Creek Indians. He died in Baldwin County.]

[An interesting event at this time was the invention of a perfect alphabet of over eighty letters for the Cherokee language by Sequoyah, a half-breed Georgia Indian. His paper was birch-bark, his ink was the juice of berries and weeds. By his zeal he inspired his people with a love for written words. Sequoyah never learned to read or write in English, but he saw one of his tribe reading the language of the white people, and he resolved to make a written language for his own people. He sat by his tent and wrote on birch-bark, and taught his little daughter the characters. When she learned to read she was tested by the tribe, and her success produced great excitement. The missionaries adopted his characters and made a Bible to be read in Cherokee. Soon a newspaper was started, and the type was cast in the Sequoyah characters. All the Cherokees soon learned to read. The big trees in California are named for this Indian genius, who lived on Georgia soil and gave a written and printed language to his people.]

QUESTIONS.

What dispute arose about the boundary line? How was it settled? Where did the Legislature meet in 1807? Describe the new capitol building. What was the condition of the town of Milledgeville? For whom was the county named? Who succeeded Jared Irwin as governor? What suggestions did his message contain? What was done in response to the suggestions? What about travelling in those days? Who first thought of a boat propelled by steam? Describe Longstreet's boat. What society was incorporated by the Legislature in 1810? What was its object? What can you say about factories? What factories were built in 1810? What banks were chartered in 1810? What academies were started in 1811? What about the population at this time?

TOPICS.

1. Boundary lines.
2. Change of capital.
3. Internal improvements.
4. Longstreet's steamboat.
5. Progress in manufacturing, etc.
6. Statistics.

CHAPTER XXX.

THE WAR OF 1812.—INDIAN TROUBLES.

"The citizens of Georgia will ever be found in readiness to assert the rights and support the dignity of the country, whenever called upon by the general government."—*Resolutions of Georgia patriots.*

FOR a number of years all Europe had been involved in war. As early as 1806 Napoleon Bonaparte had declared all the ports of the continent of Europe closed against England. England retaliated the next year by orders which forbade any vessel entering the ports of France or her allies. By these edicts American vessels trading with either of these powers were liable to be captured by the other. The English warships searched American vessels and seized American sailors whom they claimed as British subjects and forced to serve in the British navy. In this state of affairs the United States closed their ports and forbade any vessel leaving them.

This was known as the "Embargo of 1807" and was a great hardship to Georgia, whose main source of wealth was the cotton which was shipped to Europe. Nevertheless the legislature sent an address to the President, expressing its approval of the act, and declaring that if the war should come the people of Georgia "will, in proportion to their number and resources, give zealous aid to the government of their choice."

England tried to force a cotton trade with Georgia and South Carolina and sent war vessels to open the port of Savannah. In January, 1809, one of the vessels, the war brig *Sandwich*, anchored off Tybee Island, at the mouth of the Savannah River. Two of the British officers came up to the

city to purchase cotton. The people refused to sell and ordered the officers away. They went back to their vessels and put out to sea, but before doing so fired several shots at a pilot boat lying in the harbor. They threatened to return and destroy the town. This act made the people indignant, and resolutions were passed and sent to the President of the United States, stating "that all hopes of a peaceful termination of the difficulty had been lost, and the duty of the United States was to maintain their sovereign rights against the despots of Europe." The people of Georgia were in favor of war, and their senators and representatives in Congress were leaders in advocating a resort to arms.

In June, 1812, the United States declared war against England. Governor Mitchell, in November following, sent a message to the legislature, advising them to prepare for the defence of Georgia's long stretch of exposed coast and frontier. "To do this the citizens must have arms and be taught the use of them, as well as the duties of the camp." The legislature appropriated $30,000 to be used in arming the soldiers, building forts, and fitting out vessels to protect the coast. The guns which were in the old arsenal at Louisville were sent to Milledgeville and divided among the military companies. A supply of swords and pistols was given to the cavalry. Governor Mitchell called for ten thousand soldiers to be placed along the coast. He bought five hundred stand of arms for the militia troops in the exposed counties next to Florida.

The island of Amelia on the Florida coast became the home of smugglers who, under Spanish protection, tried to evade the laws of the United States, and lawless characters from East Florida crossed into Georgia and were burning houses, stealing goods, and carrying off live stock. At the same time a revolution against the Spanish government had been started in East Florida.

Georgia complained to the United States and asked for help. The President ordered United States troops to join the

Georgia troops under the command of Governor Mitchell, and put a stop to these outrages. He was instructed to persuade the revolutionists of East Florida to annex that province to the United States.

When he reached St. Mary's he wrote to the governor of East Florida that the Indians must return the stolen property, the smugglers must leave Amelia Island, and all the outrages must stop. The Spanish governor refused to agree to this and attempted to drive off the American troops. A battle was fought, but the Americans held their ground. Meanwhile the revolution in East Florida had failed, and nothing resulted from the attempt to annex that province.

As soon as war was declared, Tecumseh, the famous Shawnee chief, visited the southern Indians. He urged them to take advantage of the conditions and by united efforts to drive the whites back to the coast. His eloquence aroused the warriors and alarmed the people.

Governor Mitchell built block-house forts in the frontier counties, where the people were in a high state of excitement. These forts were built ten miles apart. Each fort was one hundred feet square, containing two block-houses, and was enclosed by a stockade eight feet high. Three forts were erected in Twiggs County, three in Telfair, and four in Pulaski.

The dreaded attack came very soon. August 30, 1813, a body of Creek Indians, seven hundred and twenty-five in number, surprised Fort Mims on the Alabama River at 12 o'clock in the day. Before the soldiers had time to close the fort and man their guns, the Indians were upon them, and massacred three hundred men, women, and childen in the most savage manner.

This was a signal for a general uprising of the hostile Creeks and Seminoles. The Seminoles attacked the settlements along the Florida frontier. The Georgia troops immediately went after these robbers, and pursued them into the

swamps. For seven days the Georgians remained in the heart of the Seminole country, surrounded by savage foes, sleeping on the ground, and enduring hunger and great hardship. The Indians were found and were punished for their misdeeds. The legislature of Georgia passed a resolution of thanks to these soldiers for their bravery.

To punish the hostile Creeks of Alabama, the general government ordered out the militia of Georgia and Tennessee. Three thousand six hundred Georgia troops collected at Fort Hawkins, on the Ocmulgee River, the site of the present city of Macon. This fort had been built by the United States in 1806, and named for Colonel Benjamin Hawkins. It was the strongest in Georgia, and now became the headquarters of the troops. General John Floyd was placed in command.

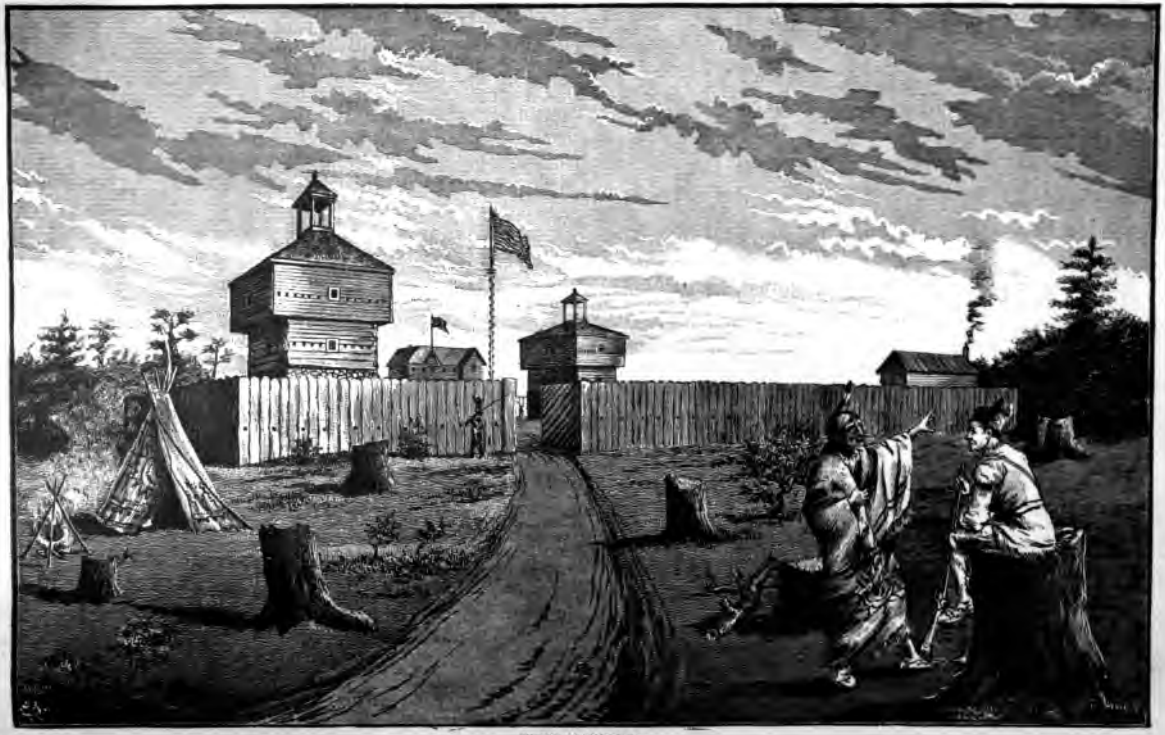
[General John Floyd was born in South Carolina in 1769. In 1791 or 1792 his father moved to Georgia, near the mouth of Satilla River in Camden County. He applied himself to mechanics and boat-building and soon became a wealthy man. He represented Camden County in the legislature, received a commission as major-general on the State militia. He was also a member of Congress. He was a gallant soldier, and a patriotic citizen. He died in 1824.]

QUESTIONS.

What trouble had arisen between the United States and England? What was the embargo of 1807? How did this affect Georgia? Describe the outrage at Savannah. When was war declared? What did Governor Mitchell advise? What preparations were made for the war? Describe the expedition against Florida. What was Governor Mitchell instructed to do? With what result? What about the block-house forts? The massacre at Fort Mims. Describe the expedition against the Seminoles. What preparations were made to punish the Creeks? Where were the troops assembled? Who was in command?

TOPICS.

1. The cause of the war.
2. Patriotism of Georgia.
3. Outrage at Savannah.
4. Preparations for war.
5. Expedition against Florida.
6. Punishing the Indians.



FORT HAWKINS.

CHAPTER XXXI.

THE END OF THE WAR OF 1812.

"I hope no such disruption will ever come, but if it should I have no wish that Georgia should survive the general wreck."—PETER EARLY.

GOVERNOR PETER EARLY.

IN 1813, the second term of David B. Mitchell having expired, Peter Early was elected governor. Governor Early was strong in will, prompt in action, and began vigorous measures for carrying on the war. An officer of the United States asked him for a loan of $80,000, and pledged the faith of the general government for its payment. The request was granted and a warrant drawn upon the treasury of the State for that amount. Some one suggested to Governor Early that the Union might dissolve during the war and the money be lost. To this he gave the noble reply which heads this chapter.

The legislature appropriated $20,000 for General Floyd, with which he bought guns, powder, and rations for the soldiers at Fort Hawkins, and made ready to march against the Creeks. He built a line of block-house forts from the Ocmulgee to the Alabama River, to protect the northern part of the State. On the west bank of the Chattahoochee River he built Fort Mitchell and put a strong garrison in it. He then marched rapidly by night to Autossee, one of the largest towns of the Creek nation, near Tallassee, on the left bank of the Talla-

poosa River, in the heart of the Creek country. The celebrated Creek chief, William McIntosh, a friend of the whites, and four hundred warriors were with him. The Cowetas and a number of other Creek tribes living in Western Georgia had refused to join in the war against the whites and remained their firm friends and allies.

Just before day-break, November 29, 1813, an assault was made at the same time upon both Autossee and Tallassee. By nine o'clock the battle was won, two hundred warriors and the kings of both towns were killed, and the houses were in flames.

The pipe of the king of Tallassee, which had been smoked at a treaty forty years before, was captured and sent to the governor, who hung it in his office in Milledgeville. During the battle General Floyd was shot in the knee. He did not stop to have his wound dressed, but remained in command of his troops the entire time. After the battle General Floyd returned to Fort Mitchell, having marched one hundred and twenty miles in seven days with only five days' provisions.

He again advanced, January, 1814, from Fort Mitchell against the Creeks. He had heard that the upper Creeks had collected in large numbers at Hotle Crawle, a town of some importance. He sent a force of fifteen hundred men to attack this place, and they dispersed the Indians after a battle, known as the battle of Challibbee. A few days after the battle the term of service of many of the troops expired, and they returned to their homes. General Floyd was ordered to march with a brigade to Savannah to protect that place. Here he remained in command until the end of the war.

General Andrew Jackson still carried on the war against the Indians. His crowning victory was at Horse Shoe Bend on the Tallapoosa River. Here the hostile Creeks were completely crushed, and were obliged to sue for peace. A treaty was made at Fort Jackson, August 9, 1814. Nearly all the land between the Chattahoochee and Altamaha rivers, owned by the Creeks, was ceded to the general government,

besides large tracts west of the Chattahoochee. Out of this territory twenty counties in southern Georgia have since been formed.

One of these counties was named in honor of Colonel Daniel Appling, who was born in Columbia County. At Sandy Creek, New York, he performed a great feat of bravery, and the legislature of Georgia presented him with a handsome sword suitable to an officer of his rank. But he died before the sword reached him. In honor of his bravery the sword was hung in the office of the governor.

After the treaty with the Indians, General Jackson marched to Mobile. Here he learned that the British ships had entered the harbor of Pensacola, had landed an army and were arousing the Indians. Governor Early learned that British ships were also at Appalachicola and were inciting the Indians and runaway negroes to overrun Georgia. The command of the frontier was given to General David Blackshear, General Floyd being unable to take command on account of his wounds.

In October the general government called on Georgia for 2,500 militia, to join General Jackson at Mobile. These troops were ordered to meet at Fort Hawkins and were placed under command of Major-Gen. John McIntosh and Brig.-Gen. David Blackshear. In November news was received that the Seminoles had arisen along the Flint River, and General Blackshear was sent with a body of troops to subdue them. General McIntosh started for Mobile with the remainder of the militia, instructing General Blackshear to join him there.

When Blackshear reached the Flint River he found that the Seminoles had already been subdued, and learned that the British ships had sailed toward New Orleans, and that Jackson had marched overland to that place. In January, 1815, a large British fleet appeared off the lower coast of Georgia. General Blackshear was ordered to retrace his steps and join General Floyd at Savannah. The road he built on that

march was called "Blackshear's Road," and as such is known to the present day. General Floyd sent him word that the British were two thousand strong on land, had pillaged the town of St. Mary's, and had withdrawn to Cumberland Island.

January 26, 1815, news was received of the brilliant victory of General Jackson over the British at New Orleans. The news was carried by Indian runners from Mobile to Fort Hawkins. General Blackshear received the news on February 4, and sent a courier to General Floyd at Savannah, with a letter stating "nineteen guns were fired at Fort Hawkins on Monday last in celebration of the victory."

In February news reached Georgia that a treaty of peace had been signed at Ghent in Belgium, on Christmas Eve, between the United States and England. This put an end to the threatened invasion of Georgia. The terms of peace did not suit all the States. Georgia was much opposed to the treaty. Resolutions were passed, asking the President of the United States to continue the war rather than consent to the treaty. The treaty, however, was ratified, and peace was declared between the two nations.

During the war William H. Crawford had been appointed minister to France, and resigned his position as United States Senator. William B. Bulloch, of Savannah, was appointed to fill the position until the legislature met in 1813, when Dr. W. W. Bibb was elected.

[Peter Early was born in Virginia in 1773, and when a young man came to Georgia to practise law in Wilkes County. In 1802 he was elected to Congress, and was a leading member of that body. In 1807 he was appointed judge of the Superior Court in the Ocmulgee circuit. He died August, 1817.]

[General Blackshear was born in North Carolina in 1764. He came to Georgia in 1790, and settled in Laurens County near the Oconee River. He was often engaged in battles with the Indians and was a brave soldier. In 1815 a vote of thanks was given General Blackshear for his services. He died at his home in Laurens County at the ripe age of seventy-three.]

[Major-General John McIntosh was a nephew of Lachlan McIntosh. He was born in Georgia in 1755. At the close of the war he settled on St. John's River, where he was arrested by the Spaniards, who charged him with designs against them. After imprisonment for some time in Morro Castle, Havana, he returned to Georgia. He died in 1826.]

["One among the most remarkable feats ever recorded in the annals of war took place on the St. Mary's River in the year 1815. Twenty-three barges, piled with British soldiers, ascended St. Mary's River for the purpose of burning Major Clarke's mills as a retaliation for breaking his parole. The St. Mary's is a very crooked river, from sixty to one hundred yards wide. The enemy intended to land at a place called Camp Pinckney, and march to Clarke's Mills, on Spanish Creek, three miles distant. Whilst the barges were ascending they were attacked by a party of twenty-eight men under the command of Captain William Cone. As soon as they were attacked they fired their cannon, but the palmetto on both sides of the river served as a screen for Cone's men, so that the shot from the enemy proved harmless. In this manner the barges were harassed for several miles. Cone's men took advantage of every turn of the river to fire upon them, and every shot brought down a man. Finding themselves exposed to so deadly a fire, the barges retraced their course toward St. Mary's. Upon their arrival at the latter place they reported one hundred and eighty men killed and as many wounded."]

QUESTIONS.

Who became governor in 1813? How did Early show his patriotism? What did General Floyd do? What forts did he build? Where did he march? Who went with him? Tell about the battles of Autossee and Tallassee. Describe the battle of Challibbee. Where were the Creeks crushed and by whom? What about the treaty at Fort Jackson? For whom and why was Appling County named? Who was placed in command of the frontier? What was he told to do? What other troops were raised in Georgia and for what purpose? Describe Blackshear's movements. Tell about the news of the victory at New Orleans. What about the treaty of peace?

TOPICS.

1. Early's patriotism.
2. Floyd's victories over the Creeks.
3. Treaty at Fort Jackson.
4. Movements of McIntosh.
5. Movements of Blackshear.
6. End of the war.

CHAPTER XXXII.

PROGRESS OF THE STATE.

"In every situation in which I have been placed, my highest object and only aim have been to promote the interests and prosperity of our beloved country."—WILLIAM RABUN.

REV. MOSES WADDELL.

DAVID B. MITCHELL was elected governor a third time in 1815. He at once began the work of repairing the losses of war. The legislature appropriated money to aid schools, to build libraries, hospitals, and poor-houses. An act was passed requiring the owners of old and infirm slaves to support them in comfort. As early as 1803 an appropriation was made to build a penitentiary in Milledgeville. The buildings were now ready, and the legislature passed the Penitentiary Act.

The laws prescribing punishment for crimes were revised in 1816 to suit the penitentiary system. One of the sections forbade any traders to bring negro slaves to the State to sell, under penalty of a fine of one thousand dollars and five years in the penitentiary. But this did not prohibit residents of the State from importing slaves for their own use. Other southern States had similar laws.

The same legislature elected George M. Troup to succeed Bibb as United States Senator. Troup had served with distinction in the lower house of Congress, and during the war had been chairman of the committee on military affairs. Bibb was appointed governor of the Territory of Alabama, and when

that territory was admitted as a State he was chosen its first governor.

Benjamin Hawkins, the friend of the Indians, died in 1816. He was very old, but had faithfully done the duties of his office. He had a large farm and a beautiful home in the Indian country, where he was glad to entertain his friends. Under his care the southern Indians had improved very much in civilization. Many of them had houses and farms and assumed the dress and habits of the white people. There were some schools and churches among them. Benjamin Hawkins was buried at the old agency on the Flint River, now in Crawford County, among the Indian friends he had loved so well.

Governor Mitchell was appointed by President Monroe to succeed Colonel Hawkins as southern agent for Indian affairs. He resigned his office as governor November 4, 1817. Under the Constitution he was succeeded by William Rabun, the president of the Senate, who was soon after duly elected governor.

In 1817 a war with the Seminoles broke out. The Indians had stolen several hundred cattle in Camden County. A party appeared near Clarke's Mills on the St. Mary's River, brutally murdered a woman and two children, burnt their dwelling and fled. In addition to this, the Seminole Indians had harbored several murderers and refused to give them up. Major-General Gaines, under the orders of General Andrew Jackson, marched United States troops to the Flint River and sent a friendly message to the Indian chief on the opposite side. This message was not heeded. Accordingly a body of troops was sent across the river. The Indians fired upon them and the fire was returned. The Indians then fled, leaving four of their warriors slain.

In November, General Gaines ordered Colonel Arbuckle, with three hundred Georgia militia, to pursue the Indians. The Indians placed themselves in a swamp and fired upon the Georgians as they passed by, but no one was hurt. Another

numbered among his pupils William H. Crawford, John C. Calhoun, and other great men of the country. By his energy and high character as educator the enrolment of the university soon went to over one hundred students. The prosperity of that institution dates from his administration.

MATTHEW TALBOT.

The first steamship to cross the Atlantic Ocean was built by William Scarborough, a wealthy merchant and planter of Savannah. It used pitch-pine for fuel, and had an iron wheel on each side, which could close up like a fan and could be unshipped at will. Instead of wheel-houses, heavy canvas was used to cover the wheels. The vessel was built at Elizabethtown, N. J., and was named "*Savannah.*" The trial trip was from Charleston to Savannah, and on board was President Monroe, who was there visiting the South, and who, during his stay in Savannah, was the guest of William Scarborough. The vessel sailed from Savannah in 1819 and visited Liverpool, Copenhagen, Norway, and went as far as St. Petersburg. It was the wonder of Europe. Even the royalty came on board to examine it. The smoke from the engine stack made the people first think the vessel was on fire, and more than one offer of aid was made to extinguish the flames.

FREEMAN WALKER.

Early in 1819 Spain ceded East and West Florida to the United States for five million dollars. The consent of Spain to the cession was secured by John Forsyth, of Georgia, who had been appointed minister to Spain by

President Monroe. Forsyth was United States Senator from Georgia at that time, having succeeded George M. Troup, who had resigned in 1818. Upon the resignation of Forsyth, Freeman Walker, of Augusta, was elected. The same legislature elected John Elliott senator to succeed Charles Tait.

Governor Rabun died October, 1819, while in discharge of his duties as governor. Matthew Talbot, of Wilkes County, the president of the Senate, at once became governor, and served until the legislature could meet.

By the census of 1820 the population of Georgia was three hundred and forty thousand, and the State gained one representative in Congress. Savannah now had eight thousand inhabitants and her trade was rapidly growing.

[Benjamin Hawkins was born in North Carolina in 1754. He was educated at Princeton College, and became so versed in the French language that General Washington employed him as an interpreter during his intercourse with the French officers. He was with Washington at the battle of Monmouth, and upon several other occasions. He was a member of Congress and United States Senator from North Carolina until he was appointed Agent of Indian Affairs in the South.]

[William Rabun was born in North Carolina in 1771. He came to Georgia in 1785 with his father, and after living in Wilkes County for a year, moved to Hancock County. His education was limited, but he read much, and was very popular with his fellow-citizens. For many years he represented Hancock County in the legislature, and was president of the Senate, when he was called by the resignation of Governor Mitchell to the chair of governor. He died while governor, October 24, 1819.]

[Matthew Talbot by birth was a Virginian. He settled in Wilkes County in 1785, and afterwards moved to Oglethorpe. His honesty and firmness made him one amongst the most popular men in Georgia. Whilst a citizen of Wilkes he was often elected a member of the legislature. When he moved to Oglethorpe he was appointed a delegate to the Constitutional Convention of 1798. In 1808 he was elected to the Senate, and was president of that body from 1818 to 1823. He died in Wilkes County, September 17, 1827, aged sixty years, leaving behind him the character of an honest and patriotic citizen.]

were educated in the best schools of the country, and music, painting, art, and literature made the home life refined. The men wore ruffled shirts of the finest linen, and coats of rich velvet. Their wives and daughters dressed in imported silks and satins. The accompanying picture, reproduced from a portrait of the wife of Governor Early, shows the evening dress of ladies of the period.

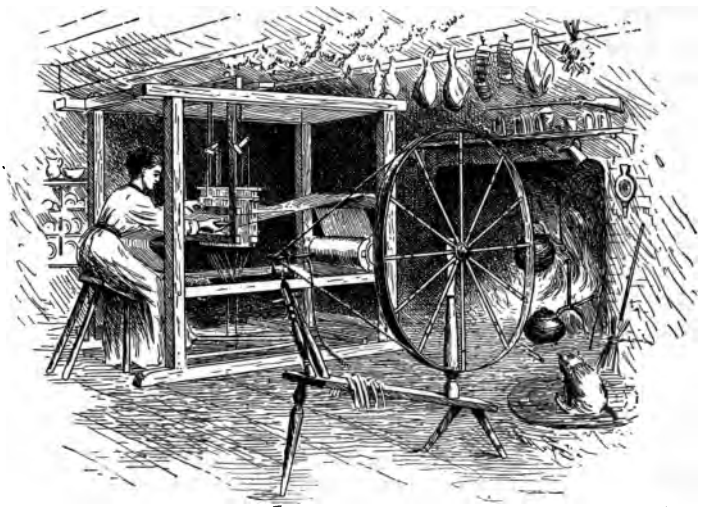
The family of the planter lived in profusion and plenty. They were attended by a number of servants, and drove to church or to town in the family carriage. Their hospitality was unbounded. Several neighboring families would often gather at one house and spend a week or more in a social party. And hospitality was shown not only to friends, but strangers. No traveller in distress was ever refused a meal or a night's lodging, and the respectable traveller, poor or rich, was always welcome as a guest as long as he pleased to stay.

But all the people of Georgia were not rich planters. A great many of our best men were plain people. Their houses were simple buildings, situated generally near the high roads or on the banks of rivers. These people did all their own work. Their clothes were made of cloth manufactured by themselves. The women carded the cotton or wool with hand-carders into small rolls. These rolls they spun on spinning-wheels into thread, which they dyed whatever colors they desired, and they wove the thread into cloth on home-made looms. Such looms and spinning-wheels are yet to be found in many country houses of Georgia, especially in the northern districts. Here the good old custom of household industry in the production of home-spun is still kept up by the wives and daughters of thriving and respectable farmers.

The houses of the frontier settlers usually had but one room, the floor of which was made of puncheons, that is, split logs with the faces smoothed by an ax or hatchet. There were no lamps, and candles were not often used. Blazing pine knots in the fire-place generally served for both light and

heat. The boys of the family, after working all day in the fields, would at night lie down in front of the pine-knot fires and learn to read and write. Many of these boys became in after years distinguished men in the history of the State.

The cooking in early times was done in large, open fire-places. In the fire-place was a crane for holding kettles or



SPINNING AND WEAVING.

pots over the fire. Corn bread was baked in the hot ashes—hence called "ash cakes"—and potatoes were often cooked in the same way. Bread of other kinds was baked in ovens, which were also used for baking meat. Turkeys were roasted on a spit hung before the fire.

The negroes belonging to the plantations lived in small houses, generally built in a row, and called the "negro quarters," or "the quarters." Being well treated, they were free from care, and were, therefore, happy, and devoted to their masters. After the day's labor they had their simple sports,

such as dancing, playing the banjo, and 'possum hunting. They were fond of singing, even at their work. And at night, around the fire in "the quarters," or at their meeting houses, they would sing their melodies in rich, musical voices. The white children considered it a great privilege to play around "the quarters" and listen to the stories of "Brer Rabbit" and "Brer Fox" related by the old negroes.

There were no railroads in those times, and travelling long distances was generally done by means of coaches called stage coaches. The drivers had horns made of tin, which they sounded as they came near a town or village, or occasionally as they went along the highway, to give notice of their approach. The mails were carried by these stages.

At convenient stations along the roads there were hotels, which in those days were called inns, where the horses were changed and the travellers could get their meals or rest for the night. Nowadays we can go from one end of Georgia to the other in a day, or can take a sleeping-car in Atlanta after supper and be in Savannah to breakfast; but in those times the journey would make nearly a week of uncomfortable riding.

The absence of railroads compelled the people to bring all goods and merchandise into the State in wagons, and to carry their crops in the same way to Savannah, Augusta, or Charleston, which were the great markets in those days. Many had to drive more than a hundred miles to reach one of these towns, and they used great canvas-covered wagons, in which they carried provisions, coffee-pots, and skillets for cooking, and blankets to wrap themselves up in at night. Neighbors who had to make such a journey would start at the same time and travel together, so that long wagon trains were constantly passing the public roads. When night came the wagons stopped by the side of the road near a spring or a small stream, and a camp fire was built. Supper was cooked, and the travellers lay down in the large wagons and slept till

morning. The driver of each wagon carried a whip, which he often popped and cracked as he drove along. With the handle in both hands, he would pop his large whip from side to side until it sounded like the rapid firing of a pistol. From this practice the name "Georgia Cracker" is said to have originated, the cracker being a man from the country, who, in driving to market, cracked his whip as he went along.

[Other explanations of the origin of "Georgia Crackers" are as follows: From the Century Dictionary—"One of an inferior class of white hill dwellers in some of the Southern United States, especially in Georgia and Florida. The name is said to have been applied because cracked corn is their chief article of diet: it is as old in Georgia and Florida as the time of the Revolution."

Richard Malcolm Johnston says, that among the followers of Gen. Francis Marion in his guerrilla warfare, during the war of the Revolution, were some Georgians, who were especially expert in the use of the rifle, the "crack" of which got to be much dreaded by the British, who gave these riflemen the name of Georgia Crackers. After the war the name changed from a military to a social significance.

A theory of Charles H. Smith (Bill Arp) is that the hardy and industrious Scotchmen who settled in Georgia, and who came in conflict with the rough and uncultured settlers from other sections, called them "crackers," which is a Scotch term, and means "boasters," "idlers," who talk much and work little. Cracked and crack-brained may have the same origin.]

QUESTIONS.

Describe the homes of the planters in the early times. How did the men dress? The women? What about the hospitality? Describe the homes of the plain people. How were clothes made? Tell about the houses of the frontier settlers. What about cooking? Where did the negroes live? What were some of their sports? What about travelling? How did people get to market? What is the origin of "Georgia Cracker"?

TOPICS.

1. Home life of the planters.
2. Home-made cloth.
3. Cooking.
4. The frontier settlers.
5. Negroes and their sports.
6. Going to market.

CHAPTER XXXIV.

EARLY CUSTOMS AND HABITS.

"Georgia, sir, is my home, as it was that of him from whom I derived my being—as it is, and will be, the home of my children. Humanly speaking, it is the boundary of my hopes and of my wishes; and whether for weal or woe, I am content to share the lot of her people."—JOHN M. BERRIEN.

IN the northern part of the State, and beyond the borders, a great deal of tobacco was raised. The tobacco, when cured, was pressed into huge and securely-bound hogsheads. Around the heads of these hogsheads were pinned wooden felloes, which made a wheel at each end, and in the centre of each head a large pin was inserted to serve as an axle. A hickory pole was split at one end to form shafts, which were fastened to the axle. Mules or oxen were hitched to the pole, and as they moved they drew the hogsheads along. Many of these teams would go together for company, and the drivers were called "tobacco rollers." A road known as the "tobacco road" begins in the upper portion of the State and winds in and out until it reaches the Savannah River below the shoals, in Richmond County. A peculiarity of this road is that it is nowhere crossed by water, this having been necessary to save the tobacco from injury by wetting. When the river was reached, the hogsheads were placed on flatboats and floated to Savannah.

There were but few newspapers in those times, and the people learned about political matters at large public meetings. These meetings were addressed by the leading men of the day, who generally spoke from a platform built under the shade of a tree. Sometimes several thousand citizens from a half dozen counties would gather at some central place to hear political

speeches. In this way the people were instructed on public affairs, and powers of oratory and capacity for statesmanship were developed, that made Georgia and other Southern States famous in the history of the country.

It was the custom at these political meetings to cook and eat a whole pig or kid or calf, the carcass of the animal being roasted on poles stretched over a fire made in a hole dug in the ground. This was called a "barbecue," and the Georgia barbecue became famous throughout the country.

ON THE TOBACCO ROAD.

Another great occasion of public gatherings was "muster day," when citizens liable to military service met to be drilled in the manual of arms and in marching and counter-marching. The Federal Government had but a small standing army at that time, and depended upon the States to furnish soldiers in case of war. These State troops were called militia. The men were organized into companies, battalions, regiments, and brigades, and there were captains, majors, colonels, brigadier-generals and major-generals. These officers wore bright uniforms and were persons of influence and importance. Governor

Mitchell was a major-general; so also were David Meriwether, Hugh Haralson, John Clark, John Floyd, and other men prominent in the history of the State. On muster days the people came out in large numbers to view the parade.

Among the social customs of early times in Georgia was

CORN SHUCKING.

"house raising." When a settler wanted to build a log cabin in the woods, he cut down enough logs for the purpose and invited the neighbors to come and help him raise them to their proper places and set them up in the frame of the house. The neighbors cheerfully did this, for they were always ready to lend a helping hand to one another.

Another custom was known as "log rolling." When a piece of forest ground was to be cleared, the trees were belted

to make them die. In this state they were blown down by the winter winds, and the first work in the spring was to cut them into logs of convenient size for rolling. The farmer invited the aid of his neighbors, and they helped him roll the logs into piles for burning. Upon these occasions feats of strength and activity were a part of the programme. The youth who could pull his man down at the end of the hand stick, throw him in a wrestle, or outstrip him in a foot race, was regarded as the best man in the settlement. He was greeted with a cheer by the old ladies, a slap on the shoulder by the men, and with the shy yet encouraging glances of the girls. He had his choice of partners in the dance, and rode home with the prettiest girl, generally on the same horse. While the men were log rolling the women of the neighborhood joined in "quilting." After sewing all morning, they had a good country dinner together, and spent the afternoon in conversation.

After the harvest of corn was gathered in the fall of the year, some farmer would invite the neighbors to a "corn shucking," that is, taking the shucks off the ears of corn. Generally the corn was put in two piles, and sides were chosen by the young men present. At a given signal each side would begin to vigorously husk the ears of corn in the pile. The side that finished first won the prize.

All these gatherings ended in what was called a "frolic," that is, games of some kind, or dancing in which young and old joined. The music was rendered by some old negro fiddler. Sometimes the dances were held in the morning, and if at night, rarely later than nine or ten o'clock. Such social meetings promoted the spirit of friendship, encouraged manly virtues, and contributed to the happy home life that characterized the early settlements of the State.

One of the chief amusements of the wealthier class was fox hunting. Some of the rich planters kept packs of hounds, and they and their neighbors would often meet at daylight on horseback. After the fox had been scented the hounds would

start on his track in full cry, the hunters riding after in hot haste. Over ditches and fences, across fields and roads, through woods and meadows, the horses and dogs would go for many a mile until the fox was caught. Frequently women went on those chases, and they were as fearless riders as the men. The rider who was "in at the death" was entitled to the trophy, which was the long bushy tail of the fox.

[Some features of the early times in Georgia can be gathered from "Georgia Scenes," by Judge A. B. Longstreet; "Dukesborough Tales," by Richard M. Johnston; "Major Jones' Courtship," by W. M. Thompson; "Memories of Fifty Years," by William Sparks; "The Georgians," by George R. Gilmer.]

QUESTIONS.

Describe the tobacco road. Tell about the political meetings. What was the barbecue? What was done on muster day? What was the house raising? What was log rolling? Describe the sports upon that occasion. What else was done on log-rolling day? Describe a corn shucking. How did these social gatherings end? Tell about the fox hunting.

TOPICS.

1. Tobacco road.
2. Political meetings.
3. Muster day.
4. House raising.
5. Log rolling.
6. Corn shucking.
7. Dancing.
8. Fox hunting.

CHAPTER XXXV.

CRAWFORD, TROUP, AND CLARK.

"Of all the old States, Georgia is the only one whose political organization is incomplete: her civil policy is deranged: her military force cannot be reduced to systematic order and subordination: the extent of her natural resources cannot be counted: the great work of internal improvement is suspended, and all because Georgia is not in possession of her vacant territory."—GEORGE M. TROUP.

GOVERNOR JOHN CLARK.

UP to this time and for several years later there was but one political party in Georgia, and that was the Democratic-Republican party of which Thomas Jefferson was the founder. The party in Georgia had, however, divided into two local factions on a purely personal issue. One of these was led by William H. Crawford, who was secretary of the treasury in the cabinet of Monroe. The leader of the other party was General John Clark. They were prominent men and had great influence in the political affairs of the State.

William H. Crawford was a lawyer and statesman of high ability and national reputation. He was one of the greatest men Georgia ever had in its history. While in the Senate he enjoyed the confidence and friendship of Jefferson, Madison, and Monroe. He was elected president of that body after the death of George Clinton of New York.

When Crawford, as American Minister to France, was presented to Napoleon, the latter was so struck by his firm step, lofty bearing, tall, manly figure, and the radiance of his clear

blue eyes, that he involuntarily bowed twice. This was a rare if not unprecedented occurrence. Napoleon afterwards confessed that Crawford was the only man he ever saw, before whom he felt inclined to bow.

When Crawford was a member of the legislature in 1806, Clark preferred charges against Judge Charles Tait. Crawford voted to acquit Judge Tait of the charges, and this is said to have provoked the enmity of Clark. A duel was fought between them in which Crawford was wounded in the wrist. They remained bitter enemies for life, and the personal feelings between them made a party issue in Georgia. Governor Rabun had belonged to the Crawford party and had defeated Clark for governor in 1817. George M. Troup was an ardent admirer and supporter of Crawford, and he was made leader of the party on Crawford's retirement from political life through ill health. This party then became known as the Troup party, and the followers of General Clark were called the Clark party. The members of the latter were also called Clarkites, while the supporters of the other leader got the name of Troupers, and these two names continued in popular use for many years.

The death of Rabun in 1819 brought on a hot contest between Troup and Clark as to which should be elected to the office of governor. When the legislature met in November the balloting began in great excitement, as no one knew the exact strength of either party. Clark was elected by a majority of thirteen votes.

While Clark was governor, trouble began with the Federal Government regarding the removal of the Indians. The United States recognized the Indian tribes as owners of the lands on which they lived, and so the lands were never taken from them by force, but were always bought. When the Indians sold land their title was said to be "extinguished." It will be remembered that in 1802 the United States agreed to extinguish for the use of Georgia the Indian titles to all

lands lying within the limits of the State, "as soon as this could be done peaceably and on reasonable terms." Eighteen

years had passed and the Indians still had some of the best lands in Georgia. The delay made the people impatient because they were anxious that the State should get possession

of all its territory. Up to this time the Creeks had ceded nearly ten millions of acres, but still held about the same number. The Cherokees had ceded nearly one million acres, but still held nearly six millions. These unceded lands lay west of the Ocmulgee River and north of the Chattahoochee.

The legislature, in December, 1819, sent a memorial and protest to the general government urging that the Indians be removed to lands west of the Mississippi River. The United States made a treaty with the Creeks at Indian Springs in January, 1821. By this treaty a tract of land was ceded or sold by the Indians, and it was agreed that the United States might apply two hundred and fifty thousand dollars of the purchase money to compensating citizens of Georgia for cattle and other property taken from them by the Indians.

NICHOLAS WARE.

The territory gained included the remaining land between the Flint and Ocmulgee Rivers as far north as the Chattahoochee. It was divided by the legislature of 1821 into the counties of Dooly, Fayette, Henry, Houstoun, and Monroe. Governor Clark advised the legislature to distribute this land by the lottery system, which was more likely to do "equal justice to the poor and rich and to insure a speedy population of the country."

During the time that Clark was governor there was no truce between his friends and the Troup party. The contest between them in the next campaign engaged the attention of the entire State. There was universal excitement over it. Everybody asked every one he met: "Are you for Troup or Clark?" When the legislature assembled in 1821, the absorbing question was, Who should be elected governor? The members were nearly evenly divided, but Clark was reëlected

amid great excitement by a majority of two. The vote was,—Troup 72, Clark 74. This second defeat of Troup was a bitter disappointment to his friends, but they kept up the fight.

The year 1820 is memorable as the period of two great calamities in Savannah. In the early part of the year the city was nearly destroyed by a fire which consumed over four hundred buildings. The loss was estimated at four million dollars. In the fall of the year a malignant yellow fever broke out, and almost depopulated the city.

Nicholas Ware, a prominent lawyer of Augusta, was elected United States Senator in 1821, to succeed Freeman Walker.

[John Clark was the son of General Elijah Clark of Revolutionary fame. He came to Georgia with his father when still a young boy. He went to school for a short while only. He preferred to join his father in his warfare against the tories. Though but a boy he did good soldier duty at Kettle Creek and in the siege of Augusta. He rose rapidly in popular favor and was made brigadier and afterwards major-general. His animosity to Crawford was personal as well as political. He became involved in a quarrel with him and sent a challenge to fight a duel. On the day of meeting, Crawford was excited and allowed his disengaged arm to hang exposed to fire. The ball from Clark's pistol struck his wrist. They became avowed enemies, and for many years the politics of the State were agitated by these rival factions.]

QUESTIONS.

What was the only political party in Georgia up to this time? How had the party divided, and who were the leaders? What was the character of Crawford? What caused the enmity of Clark? What names did the parties take? Who was elected governor in 1819? What trouble began while Clark was governor? What treaty was made in 1821? What counties were formed out of the territory gained? What was the result of the political contest in 1821? Describe two calamities which occurred that year.

TOPICS.

1. William H. Crawford.
2. Troup party and Clark party.
3. Treaty at Indian Springs.
4. Clark reëlected governor.

CHAPTER XXXVI.

ADMINISTRATION OF TROUP.

"Fellow citizens, let us cease our strife. Let our divisions be at an end. The march of Science is so steady, the progress of its illumination is so irresistible in this great and growing country, that the generations to come may look back upon our foibles with pity. Let us discard our selfishness; therefore, let our motto be 'God and our country.'"—GEORGE M. TROUP.

GOVERNOR GEORGE M. TROUP.

IN 1823 Troup was again in the field for governor. John Clark had served two terms and was no longer a candidate, but Matthew Talbot, one of the leaders of the Clark party, was nominated to oppose Troup. The contest was warm, party lines were closely drawn, and party spirit was very intense. When the legislature met in November, 1823, their first duty was to choose the governor. The result was the election of Troup by a majority of four votes—Troup 85, Talbot 81.

Troup was the last governor of Georgia elected by the legislature, and, as we shall see farther on, was the first governor elected by the people. He was a man of ordinary height, with light complexion, blue eyes, and curly, sandy hair. His carriage was erect, his step slow and measured. He had the air of a soldier. He was very brave, and where principle was involved was a stranger to compromise. He once had a dispute with a neighbor about a piece of land that adjoined his farm, and he wrote to the overseer: "If I have not right on my side, I will surrender, but not compromise." In the mat-

ter of dress he was indifferent, and showed an odd taste by wearing a blue coat with metal buttons, a buff vest, and a fur cap.

A large tract of valuable land west of the Flint River was still held by the Creek Indians. To obtain this the United States tried to make another treaty with the Creeks in 1823, but they had already ceded so much of their land that Big Warrior, the head of the nation, and the Alabama Creeks became alarmed, thinking that the design of the whites was to get possession of all their territory. A great council of the Creek nation had been held in Alabama the previous year, at which they determined to hold no more treaties with the whites for the purpose of selling lands. They said, "We shall not sell to them even one foot of ground."

The negotiations with the Creeks had aroused the fears of the Cherokees. Their leading chiefs, including Elijah Hicks and Major Ridge, went to Washington city and addressed a letter to the President of the United States, saying that the Cherokee nation had come to the unalterable conclusion not to cede any more of their lands. They claimed that they had their own printed constitution and laws, and said they were an independent and separate State and wanted protection from the government.

The United States Government then sent commissioners to Calhountown, who invited the Cherokees to come and listen to their proposal. They brought a large quantity of provisions, which they offered to give to the Indians. The Cherokees, however, refused to come. Some few did at last attend, but in obedience to the orders of the council of their nation, they would not touch food offered by the commissioners nor come inside their tents, though it was cold and raining.

The commissioners visited Hicks, the principal chief, and begged him to make a treaty with them. He heard them through and asked: "Will you give us two dollars an acre for our land?" The commissioners said they would not, and he

replied: "Very well; we know its value and can keep it. As for the claims your people have against us, we can pay them without selling our land." The claims referred to were for property of citizens of Georgia which had been carried off by the Indians. Hicks spoke the voice of his nation, and it was plain that the Indians did not intend to sell any more land.

In 1824, President Monroe sent a message to Congress in which he said: "The Indian titles are not affected in the slightest circumstance by the compact [of 1802] with Georgia, and there is no obligation on the United States to remove the Indians by force." This message provoked a letter from Governor Troup to the secretary of war, protesting against the way in which the Georgia claims were treated. In his letter the governor asked: "Is it discovered at last that Georgia has no claim either upon the United States or upon the Indians under the compact of 1802? Is all that a dream, a vision, a phantasm, with which the deluded people of Georgia have been plaguing themselves for twenty years?"

After much discussion Congress appointed a committee to look into the matter, and the committee reported that the United States were bound by their obligations to Georgia to take at once the necessary steps to remove the Indians beyond the limits of the State. When the Cherokees heard of this they declared that they had resolved never to yield any more of their lands. The situation was becoming serious.

An act was passed in 1824 which changed the Constitution so as to have the governor elected directly by the people. The act prescribed that the election should be held in the several counties on a certain day, and the returns sent, in sealed envelope, to the general assembly, to be opened in a joint session of both branches. The candidate having the majority of the whole number of votes should be declared elected. If no candidate should have such majority, then from the two having the highest number of votes, the general assembly itself should elect a governor.

The first election of governor by the people took place in October, 1825. Troup was again a candidate. He stood upon the platform of his Indian policy. The rallying cry of his party became "Troup and the Treaty." His opponent was his old enemy, General Clark. All the old party strife that had slumbered for several years broke out anew. Every argument was used to affect the election; bitter hatreds sprang up even in families and among friends. All other questions were forgotten in the issue of this contest. The past records of both candidates and even of their fathers were brought into the campaign. The day of election came in October. There were sixty counties, and in each was a scene of wild contention. The election returns were sent to Milledgeville and counted by the legislature which met in November. Troup was reëlected by a majority of 682. It was found, however, that a majority of the members of the legislature were of the Clark party, and so Clark would have been elected governor had the old system remained.

An interesting event of this time was the visit to Georgia of the famous Lafayette, who in his old age desired to again behold the scenes of his many triumphs during the war of the Revolution. Acting under a joint resolution of both branches of the legislature, Governor Troup welcomed him on his arrival in Savannah, March 19, 1825. As the great friend of America stepped ashore from the vessel in which he had sailed, he was cordially greeted as the guest of the State. He remained a few days in Savannah, feasted, and treated with the highest respect. From Savannah he went to Augusta, and thence to Milledgeville, where he was entertained at the Executive mansion.

[Governor George M. Troup was one of the most remarkable men Georgia ever produced. He was born at McIntosh Bluff on the Tombigby River, in what was then the territory of Georgia (now Alabama), in September, 1780. He was educated at Long Island, and upon graduating studied law in Savannah. In 1800, before he was twenty-one years of

age, he was invited to represent Chatham County in the legislature. This he declined on account of his minority. One year later he was elected a representative of that county, and he soon attained a high position in the legislature. In 1806 he was sent to Congress, and remained a member until 1815. He supported the administrations of Jefferson and Madison, and was a confidential friend of both. In 1816 he was elected United States Senator, and held the office two years. He served a second term in the Senate from 1829 to 1831, and was nominated for President of the United States by the States Rights Convention of Alabama. He died at his home in Laurens County in April, 1856.]

[Among the other noted men of the period was Judge John M. Dooly. He was born about the year 1772 in Lincoln County. In 1802 he was appointed Solicitor General of the Western Circuit, of which he became judge in 1816. In 1822 he was elected judge of the Northern Circuit. He was an able and fearless judge, but his reputation was acquired mainly by the brilliant wit which made him famous. He was a supporter of the Clark party and made much sport of Troup, whose mouth, he said, was formed by nature to pronounce the word "Yazoo." He once had a quarrel with Judge Tait, who had a wooden leg. A challenge ensued, but he refused to fight unless Tait would agree that he should place one of his (Dooly's) legs in a bee gum, to make their bodies equal. Tait refused, and threatened to publish him in the newspapers as a coward, to which Dooly replied that he "would rather fill a dozen newspapers than one coffin." He died May, 1827.]

QUESTIONS.

Who was elected governor in 1823? What did the Federal Government try to do with respect to the Indians in 1823? What did the Indians say? How did the Cherokees act towards the United States commissioners? What did Hicks say? What did President Monroe say on the subject to Congress in 1824? What did Governor Troup say about this? What did Congress then do? What act was passed in 1824? When did the first election for governor by the people take place? Describe the election. Describe the visit of Lafayette.

TOPICS.

1. Troup elected governor.
2. Troubles with the Indians.
3. Commissioners at Calhountown.
4. President Monroe's message.
5. Governor elected by the people.
6. The visit of Lafayette.

CHAPTER XXXVII.

TREATY OF 1825.

"If she has forborne from motives of humanity she may deserve praise, but ought not to suffer loss."—GEORGE M. TROUP.

WILLIAM H. CRAWFORD.

IN the summer of 1824, for the first and only time, a Georgia statesman was before the people as a candidate for the high office of President of the United States. William H. Crawford, as secretary of the treasury under Monroe, had acquired great influence in Georgia and great prestige in all the States. He was looked upon generally as Monroe's probable successor. In 1822 he was nominated by a caucus of Democratic-Republican members of Congress as the candidate of the party for President. Up to that time there had never been any national conventions for nominating candidates, the nominations being made by a caucus of the members of the party in Congress. Three other candidates entered the field, Henry Clay, Andrew Jackson, and John Quincy Adams. They were all of the same party as Mr. Crawford, but their friends had refused to go into the caucus. Before the election Crawford was stricken with paralysis, which unfortunate circumstance was probably the cause of his defeat. None of the candidates got a majority of the electoral votes, and so the House of Representatives was required to elect a President. Adams was elected, and was

inaugurated in March, 1825. Crawford, on account of his health, retired from public life.

Because of the unfriendly attitude of the Indians, negotiations with them for two years were of no avail. A council of all the Creeks, held at Broken Arrow, in Alabama, in December, 1824, refused to listen to any proposition from the government. President Monroe decided, however, to make another effort, and he summoned a meeting of the Creek chiefs at Indian Springs in February, 1825. The hostile Alabama Creeks did not attend. The Georgia Creeks, called Lower Creeks, led by William McIntosh, did attend, and they resolved to ignore the others and to negotiate with the general government for a cession of land. They proposed to cede only the lands belonging to the Lower Creeks in Georgia, and they held, therefore, that the absence of the Alabama Creeks was no hindrance to negotiation. After a friendly talk, a treaty was concluded and signed by nearly all the chiefs present.

By this treaty the Creeks ceded to the United States "all the lands within the boundaries of the present State of Georgia as defined by the compact of 1802." For the cession they were to obtain lands of "like quality, acre for acre, westward of the Mississippi," and the time of their removal was not to "extend beyond the first of September of the next year." This treaty was signed by the United States commissioners, by William McIntosh, and the chiefs of the Lower Creeks.

When the terms of the treaty became known to the hostile Creeks, great excitement arose among them. They declared that, as a law had been made in the council against further cession of land, the treaty at Indian Springs was void. McIntosh and his party were threatened with death, and many of the nation rose in arms against the signers of the treaty.

As soon as it was ratified by the Senate of the United States, Governor Troup, believing that there would be no serious trouble, issued a proclamation announcing the treaty at

Indian Springs, and soon afterward he sent a letter to McIntosh as the head chief of the Cowetaus, asking permission to survey the ceded territory. McIntosh summoned his chiefs, and through them permission was given to have the lands surveyed. They then, with a large number of friendly Indians, began to make preparations to depart for lands west of the Mississippi.

But the unfriendly Indians were determined on the death of the brave McIntosh. A general council of the Creeks condemned him to death, and a party consisting of one hundred and seventy men undertook to carry out the sentence. They proceeded in the most cautious manner to the residence of McIntosh upon the banks of the Chattahoochee River in what is now Carroll County. Arriving on the spot, they concealed themselves until the hour of three in the morning of May 1, 1825. Procuring a quantity of pitch pine, they tied it in bundles, placed it upon the backs of three stout warriors, and then quietly approaching the dwelling, entered an out-house in the yard. Here they found an old peddler with Chilly McIntosh, the son of the general. The latter sprang to his feet, leaped through the window, and made his escape to the woods. Shots were fired after him, but with no effect. The principal body of Indians then surrounded the main dwelling in the dark, and guarded every way of escape. The pine was now kindled, and torches were applied to various parts of the house. The lurid light showed to the brave McIntosh by whom he was attacked and the impossibility of escape. He was the only occupant of the burning house except an Indian friend, who was shot as he tried to fly from the place. Retreating to the second story, McIntosh used four guns which he had in the house, and kept his enemies at bay. But the flames drove him down, and coming into an exposed position, he was instantly shot. He fell, pierced with bullets, and was then dragged by the Indians down the steps and out into the yard. Lying on the ground, he raised himself on one elbow and defied

MURDER OF GENERAL WILLIAM McINTOSH.

his enemies. At that moment one of them plunged a knife up to the hilt into his heart, and, heaving a deep sigh, the noble general expired. The party then plundered the burning house, killed the stock, and laid the premises in ruins. Thus terribly did the brave McIntosh pay penalty for his treaty with the government.

The alarm and excitement among the whites and Indians over this bloody deed were very great. Governor Troup issued orders to the Georgia militia to be in readiness to march at a moment's notice into the Creek country. He advised the friendly Indians to remain quiet until he could take measures for their protection. The Indians in great numbers abandoned their homes and flocked to the white settlements for safety.

The session of the legislature called in 1825 ordered the ceded territory to be surveyed. When President Adams was informed of this he directed the governor to stop the surveys on account of the hostile attitude of some of the chiefs. Governor Troup refused, saying: "Georgia owns the soil, and has the right to survey it." The President threatened to arrest the surveyors, but Governor Troup ordered them to go on with the work. The President then proposed to refer the treaty to Congress for reconsideration, and the survey was stopped.

In 1824 Senator Nicholas Ware died, and Thomas W. Cobb was elected to succeed him. In 1825 John M. Berrien was elected senator to succeed John Elliott.

[William H. Crawford was born in Amherst County, Virginia, February 24, 1772. In 1779 his father moved to South Carolina, and in 1783 he removed to Columbia County. Crawford was a boy during the Revolution, and he was raised in the midst of the hard experiences of those trying times. After the death of his father he began teaching school to support his mother. He was both a student and an assistant of Dr. Moses Waddell. He next moved to Augusta and taught in the Richmond Academy. In 1799 he moved to Lexington and began the practice of law, and his talent soon raised him to the head of his profession in the State. He died in 1834 at the age of sixty-two years.]

[General McIntosh, chief of the Creek nation, was born at Cusseta. His father was Captain William McIntosh, a British officer, and uncle of Governor George M. Troup, so that Troup and McIntosh were first cousins. His mother was a Creek woman. Of his early life little is known. He was intelligent and brave, tall, well made, and of graceful manners. General Floyd and General Jackson spoke highly of his bravery. He distinguished himself in the battle of the Horseshoe. He also acted bravely in the Florida campaign. He was the most reasonable and intelligent of the Creek chiefs with whom the State had to deal at this time. His violent death was a grief to the good people of the State, both whites and Indians.]

[Thomas W. Cobb was born in Columbia County, Georgia, in 1784, and began to practise law at Greensboro. He served in the lower house of Congress from December, 1817, until he was elected United States Senator. He resigned in 1828, and was elected judge of the Superior Court. He died at Greensboro in 1830.]

[Nicholas Ware was born in Richmond County, and resided at Augusta. He was prominent as a lawyer, and was elected United States Senator on the death of Freeman Walker, and reëlected in 1821. He died in New York city, 1824. Ware County was named from him.]

QUESTIONS.

What Georgian statesman was candidate for the presidency of the United States? By whom was he opposed? What happened to Crawford before the election? What was the result? What Indian treaty was held in 1825? What was ceded? By whom was the treaty signed? What was the effect on the hostile Creeks? What did Governor Troup do? Describe the death of McIntosh. What did the legislature of 1825 order? Tell about the controversy between Troup and the President of the United States. What new Senators were elected about this time?

TOPICS.

1. Crawford for President.
2. Treaty of 1825.
3. Death of McIntosh.
4. Alarm among Indians.
5. Controversy between Troup and Adams.

CHAPTER XXXVIII.

GEORGIA DEFIES THE FEDERAL GOVERNMENT.

"You will distinctly understand, therefore, that I feel it to be my duty to resist to the utmost every military attack which the government of the United States shall think proper to make on the territory, the people or the sovereignty of Georgia."—TROUP, Letter to the President of the United States.

THE Federal government, wishing to pacify the Indians, made a treaty with thirteen Creek chiefs at Washington city in January, 1826. This treaty ceded to the United States all the Creek lands east of the Chattahoochee. A large tract, amounting to about three hundred thousand acres northwest of the Chattahoochee, which had been ceded at Indian Springs by the former treaty, was reconveyed to the Creeks, so that they would still continue to hold and occupy a large area of valuable lands in Georgia.

The Georgia delegation in Congress protested against the new treaty. They claimed that the treaty at Indian Springs was valid, and that the United States had no right to make another. Notwithstanding this protest, the treaty was ratified by the Senate. Governor Troup wrote a letter to the Georgia representatives declaring that the United States were "unauthorized in their action," and that he did not recognize their "power in the premises." In his subsequent dealings with the Creeks the governor paid no respect to this treaty, but acted as if it had never been made.

It had been agreed that the Creeks should keep possession of the ceded lands until January 1, 1827. Governor Troup, not recognizing the treaty, and wishing to divide the territory into districts, ordered surveyors to survey the ceded tract. But

the Indians resisted the survey, took away the compasses of the surveyors, and ordered them off the lands. The Creeks then appealed to the Federal government. The secretary of war wrote to Governor Troup that the President of the United States felt himself "constrained by the plighted faith of the nation to state to you that he considers an entry on the ceded lands as a violation of the treaty." He desired Georgia to desist from further survey until authorized. The governor replied, refusing to desist.

After repeated complaints from the Indians, the secretary of war informed Governor Troup that the surveyors must keep off the Indian lands, and that if he refused to stop them, military force would be employed.

This threat was promptly met by Governor Troup in the following words: "From the first decisive act of hostility, you will be considered and treated as a public enemy, and with the less repugnance, because you, to whom we might constitutionally have appealed for our defence against invasion, are yourselves the invaders, and what is more, the unblushing allies of savages whose cause you have adopted." Major-generals commanding the sixth and seventh divisions of Georgia militia were ordered to hold their commands in readiness to repel any invasion of the territory of the State.

Thus Georgia defied the threat of the United States. The crisis was reached, but happily strife was avoided. As soon as it was seen that military force would be resisted by the people of Georgia, wiser counsels prevailed at Washington. Congress recommended immediate measures to acquire from the Indians all the lands held by them within the limits of Georgia.

The consent of the Creek chiefs being obtained, a meeting was called at the Creek agency, where (November 15, 1827) the chiefs and head men ceded to the United States all the remaining lands they owned within the chartered limits of Georgia. In consideration of this they were paid about twenty-eight thousand dollars. Thus ended the difficulty with the

Creek Indians in Georgia, and shortly afterwards the tribes who had occupied lands in this State moved to their new home west of the Mississippi River. Throughout the whole controversy Governor Troup had pursued a firm and consistent course which won general praise. He had insisted upon the rights of his State and secured them.

JOHN FORSYTH.

The lottery system was adopted to distribute the lands gained by the treaties, and the new counties of Muscogee, Troup, Coweta, Lee, and Carroll were organized.

John Forsyth, of Augusta, was the candidate of the Troup party in the election for governor in 1827. Troup, having served two terms, wished to retire from public life, and would not allow the use of his name. The Clark party proposed Duncan G. Campbell, of Wilkes County, who was brother-in-law of Clark, and prominent in connection with the Indian treaties. He declined to be a candidate, and Matthew Talbot was put forward, but he died before the election. Forsyth was then elected.

JOHN McPHERSON BERRIEN.

Before the election for President of the United States in 1828, the Democratic-Republican party had divided into two sections. One of these, keeping the old name, supported Andrew Jackson, of Tennessee, for President. The other, led by Henry Clay and Daniel Webster, took the name of National Republican, and supported

John Quincy Adams for reëlection. Adams was not popular in Georgia on account of his policy in regard to the removal of the Indians, and so the electoral vote of the State was cast for Jackson, who was elected. Jackson appointed John McPherson Berrien, of Savannah, attorney-general of the United States.

[John McPherson Berrien was born in New Jersey 1781. He was graduated at Princeton, and was admitted to the bar of Georgia when eighteen. He was solicitor of the eastern district of Georgia in 1809, and judge of the same district from 1810 to 1821. He was in the United States Senate from 1825 to 1829, and again from 1840 to 1852. In 1829 he presented to the Senate a "Protest" against the tariff from the legislature of Georgia, and he supported it in a speech so eloquent that he was called the American Cicero. He was attorney-general of the United States from 1829 to 1831. In 1844 he was a delegate in the convention that nominated Henry Clay for President. He died in 1856.]

[John Forsyth was born in Virginia, and came to Georgia with his father at four years of age. He was graduated at Princeton College in 1799. He studied law in Augusta, and began to practice in 1802. In 1818 he became a senator of the United States, and was sent as minister to the court of Spain to negotiate the treaty by which the United States acquired the territory of Florida. He died in Washington city in 1841.]

QUESTIONS.

What treaty was made in 1826? What lands were ceded by the Indians, and what lands were given back to them? What did Governor Troup think of this last treaty? What troubles now arose? What did Governor Troup do? What did the Indians do? What did the secretary of war write to Governor Troup? What was his answer? How was the dispute settled? What counties were formed out of the new lands? What of the contest for governor in 1827? What of the presidential election in 1828? What party division took place at this time?

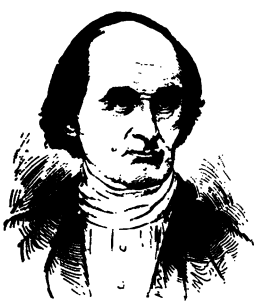
TOPICS.

1. Treaty of 1826.
2. Troubles that arose.
3. Troup's defiance.
4. Treaty of 1827.
5. New counties formed.
6. Forsyth elected governor.

CHAPTER XXXIX.

ADMINISTRATION OF GOVERNOR GILMER.

"Blessed with peace, health and abundance—with immense resources in possession and greater in expectancy—what is there we can rationally desire to effect that we may not hope to accomplish?"—JOHN FORSYTH.



GEORGE R. GILMER.

IN October, 1829, the usual election for governor took place. There being no nominating conventions in those days, candidates were selected by a caucus of the leaders of each party. The leaders of the Troup party, who had controlled the State for several years, divided in this election, one section nominating George R. Gilmer, of Oglethorpe County, and the other nominating Joel Crawford, of Early County. Clark had gone to live in Florida, having been appointed keeper of the public forests of that territory by President Jackson in 1829. The Clark party supported Gilmer, who won by a large majority.

After the inauguration of Gilmer, the legislature elected John Forsyth to fill the vacancy in the United States Senate, caused by the promotion of Berrien to the cabinet of President Jackson. Forsyth became an ardent supporter of Jackson, and leader of the administration party. He was one of the most eloquent men the State ever produced, and the best offhand debater of his time. The same legislature elected George M. Troup to the United States Senate. The previous

year Thomas W. Cobb resigned his seat in the Senate, and Oliver H. Prince, of Macon, succeeded him.

Meanwhile the Indians were giving trouble in North Georgia. The Creeks had all left the State, but the Cherokees still occupied lands beyond the Chattahoochee and Chestatee, in the northern part of the State, which even to this day is often spoken of as "Cherokee Georgia." It is said that the tract once belonged to the Creek Indians, and that the rivers and mountains all have Creek names. About fifteen or twenty years before this time the Creeks challenged the Cherokees to a game of Indian ball, and bet all these lands on the result. The Creeks lost the game and the lands.

OLIVER H. PRINCE.

Many crimes were committed by the Indians on these lands, and the offenders could not be punished, being outside the jurisdiction of the authorities of Georgia. To remedy this the legislature of 1829 passed an act extending the laws of the State over the Cherokee country, on the ground that it was part of Georgia, and should be made subject to its laws. Power was given to the courts of the counties lying next to the Cherokees to try all persons, whether Indians or white, charged with committing crimes in that territory.

The Cherokees objected to this. They contended that they were an independent nation. They had their own laws, and they claimed the right, under treaties with the United States, to deal with their own criminals. They also employed lawyers to defend their claim. One of their attorneys, William Wirt, wrote to Governor Gilmer, proposing to submit the matter to the Supreme Court of the United States. Gilmer refused, saying that the proposition was "disrespectful to the

Government of the State," and that "the powers conferred by the Constitution on the Supreme Court forbid its adjudging in such a case."

An occasion soon arose for enforcing the new law. George Tassels, a Cherokee, having killed another Indian within that part of the Cherokee territory subject to the courts of Hall County, was arrested by the sheriff of that county. He was tried in the Superior Court of the county and sentenced to be hanged. But his lawyers appealed to the Supreme Court of the United States, and Governor Gilmer was summoned by Chief Justice Marshall of the Supreme Court to appear and answer for the State of Georgia.

The governor sent to the legislature, which was in session at the time (1830), a message stating the facts, and saying that "orders received from the Supreme Court for the purpose of interfering with the decisions of the courts of this State, in the exercise of their constitutional jurisdiction, will be resisted with whatever force the laws have placed at my command." The legislature upheld the governor, and empowered him to order the authorities of Hall County to carry out the sentence on Tassels, who was accordingly hanged.

Meanwhile the case had been brought up for hearing before the Supreme Court. But the court refused to interfere. This ended the opposition of the Indians, and the laws of the State were enforced in "Cherokee Georgia."

Another reason for extending the laws over Cherokee Georgia was that it had become necessary to protect the interests of the State in gold mines that had been discovered in that section. Gold was found first in Habersham County in 1828. A gold fever broke out and spread among the people. Many whites crossed the Chattahoochee and Chestatee rivers and began mining. This was against the law forbidding trespass on the Indian lands. The Indians themselves also began digging for the precious metal. As was to be expected, quarrels and strife arose among the white miners, and between

them and the Indians. They would gather around the camp fires at night and gamble, drink, and fight.

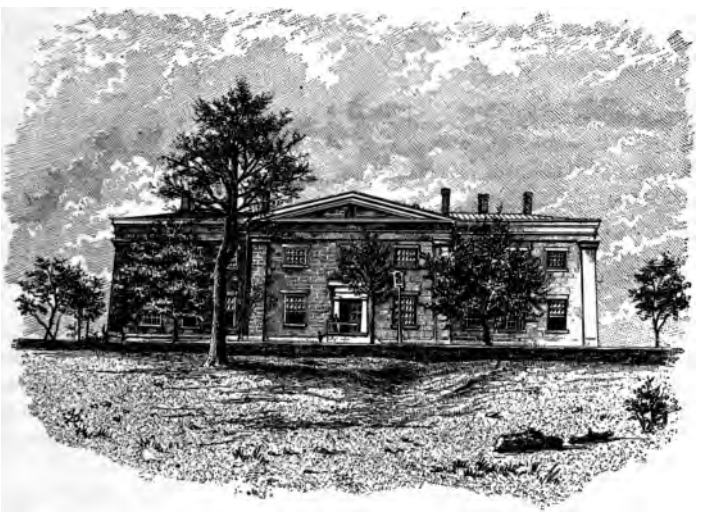
Governor Gilmer, after the passing of the law extending the jurisdiction of the State over the Indian lands, issued a proclamation, notifying the fact, but notwithstanding this, the trouble became so great that in 1830 he called the legislature together to consider the matter. Stringent laws were then made forbidding trespass on the Indian lands. The miners, however, defied the officers of the law, and the gold digging continued. So it was found necessary to resort to force, and Major Wager, an officer of the United States army, marched into the Cherokee country with a company of soldiers from Charleston and Augusta, and destroyed the camps, provisions, and tools of the gold diggers. They arrested many of the diggers themselves, escorted them to the nearest ferry, and had them sent across the Chattahoochee River. They also prevented the Indians from mining for gold.

For a number of years gold mining in the northern portion of Georgia was profitable, until the more valuable mines in California were discovered. A United States branch mint for the coining of gold was established in Dahlonega. This place, now in Lumpkin County, was once a little Indian village named Tauloneca, which means *yellow money*. Gold used to be often found in the court-house square, particularly after a shower of rain; and the little boys would frequently pick up pieces of gold weighing a pennyweight.

In spite of the law forbidding white people to settle on the Cherokee lands without permission, a number of persons, among them several missionaries, had taken up their abode in the tribe, and refused to leave. These missionaries were opposed to the removal of the Cherokees west of the Mississippi, and they held a meeting in the Indian country and passed resolutions calling on the people of the United States to aid the Cherokees in resisting the laws of Georgia.

The legislature then made a law that all white persons found

in the Cherokee land after a certain time, without permission and without having taken an oath of allegiance to the State of Georgia, should be punished by imprisonment and hard labor for not less than four years. This did not deter the missionaries, who still remained on the forbidden territory. Twelve of them were, therefore, arrested, tried in the Hall County Supreme Court in September, 1831, and convicted of illegally



OLD MINT AT DAHLONEGA.

residing on the Indian lands. They were all sentenced to the penitentiary, but, on arriving at the door of the prison, they were offered pardon if they would promise to obey the laws of the State. Ten of them consented to do this and were liberated. The other two—Samuel A. Worcester and Elizur Butler—refused to accept the terms, and so they were put in the penitentiary, where they were detained until they apologized to the governor and promised to obey the laws.

The population of the State, as shown by the census of

1830, was over half a million. Of these a little less than half were slaves. Under the new census Georgia was entitled to nine representatives in Congress.

Nearly a quarter of a million bales of cotton were shipped annually from Savannah. The annual exports amounted to four millions of dollars; the imports to four hundred thousand. Thus the State sold ten times as much as it bought.

In 1830 the legislature chartered the Medical College of Georgia, situated at Augusta. It is now part of the State University.

[George R. Gilmer was born in 1790 in Wilkes (now Oglethorpe) County. He was educated at the academy of Dr. Moses Waddell. During the war of 1812 he did good service in defending the frontier of Georgia against the attacks of the Indians. After the war he began to practice law, and was sent to the legislature. In 1820 and 1824 he was elected to Congress. He was twice governor of Georgia, and during his last term in 1837 and 1838 the Indians were finally removed from the State.]

[Oliver H. Prince was born in Connecticut in 1782. He moved to Washington, Wilkes County, when he was fourteen years of age. Later he was appointed by the legislature to lay off the county of Bibb and the city of Macon. In 1822 he made Bibb County his home. He was president of the first railroad convention in Georgia, and became deeply interested in the railway system. He was lost at sea in 1837.]

QUESTIONS.

Who was elected governor in 1829? What trouble arose with the Cherokee Indians? What did the legislature do? Tell about the case of Tassels. Describe the gold fever of 1828. What laws were passed by the legislature? Where was a mint established? Tell about the missionaries. What was the population of Georgia in 1830?

TOPICS.

1. Division of the party.
2. Trouble with Cherokees.
3. Gilmer elected governor.
4. Tassels case.
5. The gold fever.
6. The missionaries.

CHAPTER XL.

ADMINISTRATION OF GOVERNOR LUMPKIN.

"He who would destroy the State sovereignty by consolidation, or the federal system by nullification, is a traitor to liberty and deserves the universal execration of mankind."
—WILSON LUMPKIN.

GOVERNOR WILSON LUMPKIN.

AT the election for governor in the fall of 1831, Governor Gilmer was the candidate of the Troup party. Wilson Lumpkin of Athens was the candidate of the Clark party, and was elected.

When the legislature met, Governor Lumpkin advised that the Indian lands of North Georgia be surveyed immediately. The legislature ordered the survey to be made, and the counties of Cherokee, Cobb, Floyd, Gilmer, Murray, Paulding, and Union were laid out, although the Indians were still in possession of the land.

The great question before the country at this time was the tariff. In 1828 and in 1832 Congress passed tariff acts which imposed heavy taxes on certain articles imported from foreign countries, making them dearer than goods of the same kind manufactured in America. This enabled the American manufacturers to raise their prices, foreign competition being either cut off or greatly restricted by the tax or tariff. It was called a protective tariff, because it was intended to protect home manufacturers.

The Southern States were much opposed to the tariff. It conferred no benefit on them, for the manufacturers were all in the North, and, on account of the tax, the Southern people were obliged to pay higher prices for manufactured articles.

To oppose the tariff, meetings were held everywhere throughout the South. The people declared they would dress in their own homespun rather than buy Northern goods, and raise their own hogs and horses rather than buy from the West. In the Congress of 1828 many representatives from Georgia and South Carolina appeared dressed in homespun, which was woven on looms of their own States. The legislature of Georgia, in December, 1831, passed a resolution declaring the tariff "inexpedient, oppressive, unequal, and destructive to the great leading interests of the South."

The tariff was the issue in the presidential election in 1832, which resulted in the reëlection of Andrew Jackson, the Democratic-Republican candidate. He was opposed by Henry Clay of Kentucky, the candidate of the anti-administration party, calling itself in this election the National Republican party. Georgia cast its vote for Jackson, both the Clark and Troup parties supporting him, as he was opposed to the tariff.

John M. Berrien, who had resigned from the cabinet of President Jackson, was strongly opposed to the tariff measures. A number of prominent men, happening to be in Athens at the commencement of Franklin College in 1832, met and passed a resolution recommending the holding of an anti-tariff convention in Milledgeville in November of the same year.

In response to this call, the people of sixty-one counties of Georgia sent one hundred and thirty-four delegates to the convention, which met November 12, 1832. George R. Gilmer was made chairman. John M. Berrien was leader of the party opposed to the tariff. Senator John Forsyth, of Augusta, leader of the Jackson party in the United States Senate, and a delegate to the convention from Richmond County, resolved

to defeat the object of the gathering. On the second day he raised a side issue by proposing the appointment of a committee "to examine the authority of the persons assembled as delegates to represent the people of their respective counties." He held that they had no such authority. This originated a discussion between Berrien and Forsyth, and the great powers of both were exhibited in a debate lasting three days. The resolution was rejected, and Forsyth, with fifty other delegates, withdrew from the meeting, leaving but a minority of the counties represented. The remaining members adopted a report of a committee in which the tariff acts were declared to be unconstitutional and void, and in which it was proposed to submit the resolutions of the convention to the judgment of the people at the polls.

But the State legislature of Georgia, although opposed to the tariff acts, strongly disapproved of the proceedings of the anti-tariff convention. It advised the people "not to give their votes on the resolutions of the convention as therein proposed," and it condemned the doctrine of nullification as "neither a peaceful nor a constitutional remedy, but, on the contrary, as tending to civil commotion and disunion."

The doctrine of nullification was that any act of Congress, if unconstitutional, might be declared by any State to be null and void within its boundaries. This doctrine was asserted by South Carolina, and a convention of the people of that State declared the tariff acts null and void within their borders and threatened to withdraw from the Union. President Jackson issued a proclamation against nullification, and Congress passed an act known as the Force Bill, giving him power to send troops to South Carolina to force the people to pay the duties. The situation was very serious. Congress, however, passed Mr. Clay's famous Compromise Bill, which reduced the tariff so that it was satisfactory to the South, and South Carolina rescinded the nullification ordinance.

The tariff question had not divided the Democratic-Repub-

lican party of Georgia. Nullification as a remedy had found only a few supporters, but Jackson's proclamation and the passage of the Force Bill created a political revolution in the State. President Adams had threatened to send soldiers to Georgia, and Governor Troup had boldly defied him. Now the same threat was made against a sister State, and the old Troup leaders refused any longer to support President Jackson or his party. Berrien, Gilmer, William H. Crawford, Dawson, Clayton, and a number of other Troup leaders, called a convention which met at Milledgeville, November 13, 1833, and organized the "STATE-RIGHTS PARTY OF GEORGIA." Its platform was the first ever issued by a party in Georgia.

JOHN P. KING.

As the Troup wing of the Democratic-Republican party had taken a new name, the supporters of the President, including the Clark party and Senator Forsyth, an original Troup man, remained as the Democratic-Republican or Democratic party of Georgia. Later on they called themselves the Union party. Thus the Troup and Clark parties took new names, and the old terms "Troupers" and "Clarkites" began to disappear.

Before the organization of the State-Rights party (1833) Wilson Lumpkin was reëlected governor, defeating Joel Crawford, the last candidate of the Troup party.

In 1833 George M. Troup permanently withdrew from public life, resigning his seat in the United States Senate and retiring to his home in Laurens County. He was succeeded in the Senate by John P. King, of Augusta.

In 1834 John Forsyth, the able champion of the administration party, was appointed secretary of state by President Jackson, an office which he held for seven years.

He was succeeded in the United States Senate by Alfred Cuthbert.

The centennial of the first settlement of Georgia was celebrated on February 13, 1833, by meetings, speeches, and military parades in many parts of the State.

[Wilson Lumpkin was born in Virginia in 1783. When he was one year old his father moved to Georgia, and settled in what is now Oglethorpe County. After a common school education, Wilson, at fourteen years of age, began to copy and write letters and papers in the office of his father, who was clerk of the Superior Court of Oglethorpe County. He employed his leisure time in reading law, and when twenty-one years of age he was elected to the State legislature. Later he was elected to Congress and to the Senate of the United States. **He died in 1870.**]

[John Pendleton King was born in Kentucky, 1799. In 1815 he came to Georgia, and began to practise law in 1819. He resided in Augusta, where he acquired a large estate. He was president of the Georgia Railroad for many years, and under his management the road was completed. He died in Augusta in 1888.]

QUESTIONS.

Who was elected governor in 1831? What did the legislature do in regard to the Indian lands? What question now attracted the attention of the country? What was the effect of the tariff? Who were opposed to it? Who was elected President of the United States in 1832? Tell about the Anti-tariff Convention. Who led the party opposed to the tariff? What did the convention do? What did the State legislature do with regard to the proceedings of the convention? Tell about the doctrine of nullification and the Force Bill. What party changes followed? Who was elected governor in 1833?

TOPICS.

1. Lumpkin elected governor.
2. The tariff.
3. Nullification doctrine.
4. Party changes.

CHAPTER XLI.

REMOVAL OF THE CHEROKEES.—CREEK WAR.

"I believe it to be our highest political duty to retain the organization of the government in the form which our forefathers gave it; limiting the United States to legislation upon general subjects specified in the Constitution, and preserving unimpaired the rights of the States and the people."—GEORGE R. GILMER.

GOVERNOR WILLIAM SCHLEY.

WILLIAM SCHLEY, candidate of the Union party, was elected governor in 1835, defeating Charles Dougherty, the candidate of the State-Rights party.

The Cherokees had been giving trouble ever since the survey of their lands began. In 1834 a band of them broke open and robbed a smoke-house belonging to a white man who lived on the border. Eli Hicks, a friendly Indian chief, who favored the removal of the Indians to lands west of the Mississippi River, went with only two followers in pursuit of the robbers. When he found their camp, he walked in among them and began to upbraid them for their conduct. One of them fired at him, and he died two days afterwards. Several other chiefs who were willing to move west were also shot by Indians. The white families along the border were, therefore, in great terror, and troops were stationed there to preserve the peace.

The United States government soon saw the necessity of taking some active steps to remove those troublesome people.

In December, 1835, a treaty was made with them at New Echota, a place in Gordon County, not far from the town of Calhoun. The principal articles of this treaty were as follows: The Cherokee nation gave up their claim to all lands east of the Mississippi River for the sum of five million dollars and a tract of seven million acres west of the Mississippi River. This land was never to be included in any other States. The United States agreed to protect the Cherokees from civil strife and foreign enemies, to convey them to their new homes, and maintain them for one year after their arrival.

Before this treaty was carried out, the tribes of Creeks who lived in Alabama determined to join the Seminoles in the war which was going on in Florida. Numbers of them committed terrible murders along the Chattahoochee River in 1836. The appearance of these painted savages caused great alarm in the border settlements, and the white people forsook their homes and fled to Columbus, Milledgeville, and Augusta. The Indians pursued the refugees and killed many of them.

Governor Schley took the field in person against the Indians, making his headquarters at Columbus. Volunteer companies of soldiers were formed in all parts of the State. Efforts were made to capture all the Indians who tried to join the Seminoles. General Winfield Scott came to Columbus, organized the troops, and started for the Creek nation. After several skirmishes, many of the Creeks surrendered to General Scott and asked for peace.

It was designed to remove the remainder as soon as they could be forced to surrender. But many defied the authority of the State, and continued the war. In the night of May 15, 1836, a party of them, about three hundred in number, made an attack upon Roanoke, a small village on the Chattahoochee River, in Stewart County. The citizens were taken by surprise, many of them having retired to rest. The first warning was the firing of the guns and the yells of the savages. The men of the village rushed to arms and tried to oppose the

Indians, but they were forced to retreat, the number of the enemy was so large. Nine whites and three blacks were killed, and the rest escaped. The Indians burned the town to ashes. The same party of Indians attacked and burned the boat *Georgian* while lying at anchor near Roanoke. Not a soul escaped except the engineer. They also attacked the boat *Hyperion* while ascending the river. Several of the crew were killed, and the remainder fled, leaving the vessel to the Indians.

These Indians were soon after attacked by a party of white men under Captain Garmany and Major Jernigan. The battle was one of the most serious of the war. Captain Garmany killed three Indians with his own hands, but he himself was wounded in the thigh by another. The Indian drew a knife and rushed upon the brave captain, who had fallen to the ground. Drawing his pistol, the captain waited until his assailant was close at hand, and firing, he killed the savage just in time to prevent the knife from piercing his breast. The savages, who greatly outnumbered the whites, forced them to retreat, after many of the latter had been slain. Then the Indians marched down the banks of the Chattahoochee, burned several houses, and plundered the country on their way.

They then tried to join the Seminoles in Florida. They marched into Baker County, murdered several families, and afterwards, to the number of three hundred, hid themselves on an island in the centre of a swamp. The militia of that county waited for reinforcements. When they came, the whole body, numbering five hundred, was put under command of Colonel A. A. Beall, who determined to drive the enemy from the swamp, where they had lain more than a week. Two hundred men were placed on the outskirts to prevent an escape. The remainder entered the swamp, wading waist-deep through the water and mud, and reached the Indian camp. Here a battle was fought which lasted more than half an hour, and the Indians were driven from the island, leaving behind

many dead warriors, together with their horses and plunder. Only fourteen of the Georgia troops were wounded, and but one killed. This defeat prevented the junction of the Creeks with the Seminoles in Florida.

A fight took place July, 1836, at Echowanotchaway swamp between Major Jernigan's command and the Indians, in which the latter were again defeated. Another party of Indians, on their way to Florida, were attacked in Thomas County by Captain Sharpe, and twenty-two of them were killed and the rest put to flight. These defeats compelled the principal chiefs to abandon the war and sue for peace. Many of them came to the forts and surrendered.

JAMES MOORE WAYNE.

In 1837 Governor Schley was nominated by the Union party for reëlection as governor, but he was defeated by George R. Gilmer, the candidate and leader of the State-Rights party. Gilmer was governor at the time the Indians were finally removed from the State.

By the treaty (of December, 1835) the State of Georgia was to take possession of the Cherokee lands on the 24th of May, 1838. Some days before this date the military were called out, and General Scott put in command. The Indians were gathered together, and in September fourteen thousand started for the lands assigned them on the west of the Mississippi.

While some of the events just related were engaging attention in Georgia, there was another presidential election—that of 1836—Martin Van Buren of New York being the successful candidate. The State-Rights party carried Georgia, and its vote was cast for Hugh L. White, of Tennessee.

In 1837 John P. King resigned his seat as United States Senator, and was succeeded by ex-Governor Wilson Lumpkin.

An important appointment made by Andrew Jackson before the close of his term as President was that of Judge James M. Wayne, of Savannah, as associate justice of the United States Supreme Court. This was in January, 1835. Judge Wayne held the office until his death in 1867.

[James Moore Wayne was born in Savannah in 1790. He graduated at Princeton, was admitted to the bar in 1810, and began to practise law in Savannah. He was in Congress in 1827–1835, and was an ardent supporter of President Andrew Jackson. He died in Washington city in 1867.]

[William Schley was born in Maryland in 1786. He was educated in the schools of Louisville and Augusta, Ga. He began practising law in 1812. In 1825 he was elected judge of the Superior Court of the Middle District, which office he held until 1828. In 1830 he was sent to the legislature, and in 1832 to Congress. His first message to the legislature strongly advocated the building of the Western and Atlantic Railroad. To this work he devoted all the time he could spare, and had the honor of signing the act authorizing the road to be built. After his term expired he retired to his home in Richmond County, where he died at a ripe old age.]

QUESTIONS.

Who was elected governor in 1835? Tell about Eli Hicks—what he did and what happened to him. What action did the United States government take? What were the chief articles of the treaty? What action did Governor Schley take against the Indians? Tell about the attack on Roanoke and on the two ships. What officers soon after attacked the Indians? What was the result? What did the Indians do in Baker County? Describe the attack on the Indian camp in the swamp. Where and by whom were the Indians next defeated? Who was elected governor of Georgia in 1837? Tell about the departure of the Indians.

TOPICS.

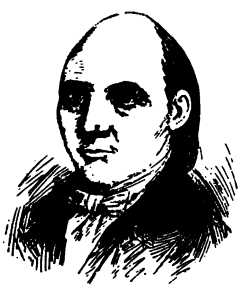
1. Schley elected governor.
2. Eli Hicks.
3. Treaty with Cherokees.
4. Captain Garmany's exploit.
5. The battle at the swamp.
6. Final departure of Indians.

CHAPTER XLII.

HIGHER EDUCATION.

"A disregard of moral instruction will have an inevitable tendency to promote luxury and vice, and ultimately endanger, if it does not entirely overthrow, our present happy government."—DAVID B. MITCHELL.

WE have told in another chapter about the rise and progress of the State University. There were also many high schools throughout the State, and primary schools in every village. In January, 1833, the Baptists opened a school known as Mercer Institute at a place where the little village of Penfield, in Oglethorpe County, now stands. The beginnings of this school were very modest, for the buildings consisted of only two double cabins with a garret to each, and these served for dwelling, dining-rooms, and study for both teachers and pupils. The school started with only thirty-nine students. The next year there were eighty, and another teacher was engaged. During the second and third years more buildings and better rooms were added. In 1838 the name was changed to Mercer University. The school had been named Mercer after Rev. Jesse Mercer, the leading Baptist minister of the State, and one of the ardent supporters of the institution. In 1838, also, a town was laid out around the university, and it was named Penfield, after Joseph Penfield, of Savannah, who had given twenty-five hundred dollars to aid the school in the beginning. Mercer University continued to improve and grow



REV. JESSE MERCER.

Mercer University
Macon, Ga.
Mer~Hall.
Central Building
President's House
Chapel Building

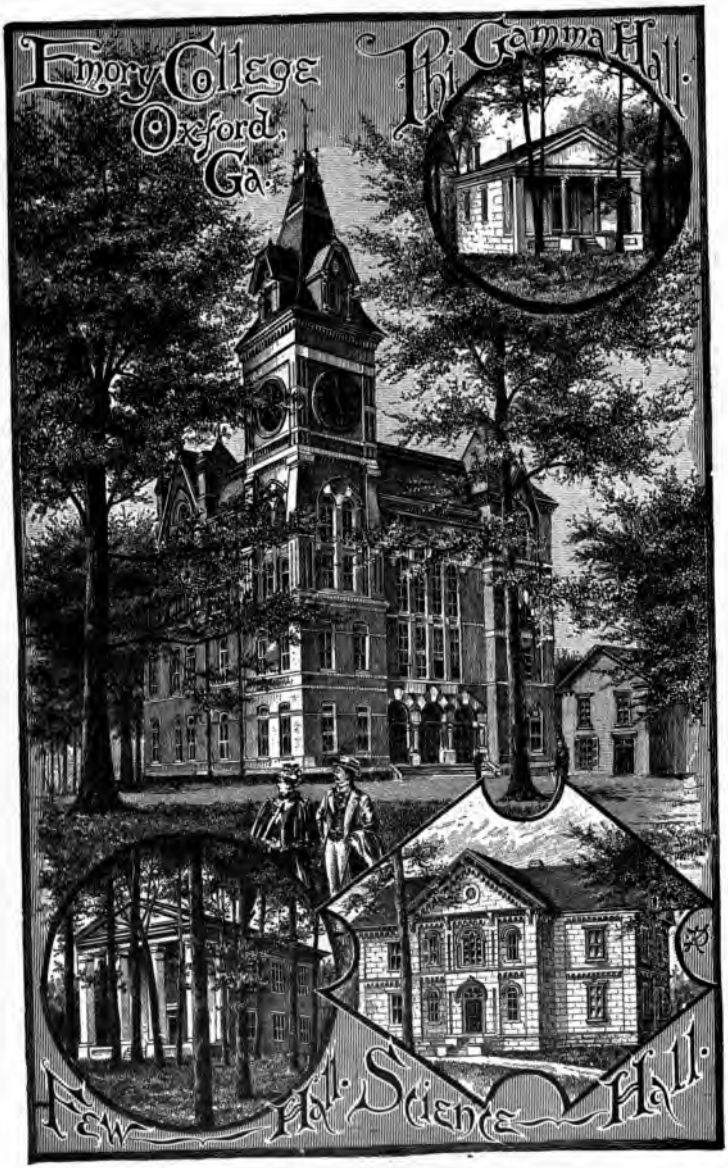
in number of students and popularity. In 1871 the school was moved to Macon, and it remains as one of the noblest institutions of our State.

In 1838 the Presbyterians established a college at Midway in Baldwin County. It was to be named Oglethorpe University. In 1842 the number of students was one hundred and twenty-five. The studies were suspended toward the close of the Civil War from lack of funds. After the war several

OGLETHORPE UNIVERSITY.

efforts were made to revive the institution, but they were not very successful, and in 1872 the university was closed.

In December, 1836, the legislature granted a charter to Emory College, founded by the Methodists, and named after Bishop Emory. The college was located, and in December, 1837, Rev. Ignatius A. Few was chosen president. The town of Oxford soon grew up around the institution. The Rev. Mr. Few was succeeded by Rev. A. B. Longstreet, who was president for ten years. He was followed by Rev. George F. Pierce, who was afterwards made bishop. The first class


Emory College
Oxford,
Ga.
Phi Gamma Hall.
New Hall.
Science Hall.

graduated in 1841. From that time until the present, except four years, during and just after the war, the school has continued in operation, graduating nearly a thousand young men, some of whom became famous in the history of the country

Attention was also given to the question of higher education

WESLEYAN COLLEGE.

of girls. As far back as 1825 Duncan G. Campbell proposed a bill in the legislature for the education of young women, and though the bill was not passed, he is regarded as the founder of the scheme of a female college In 1835 the people of Macon began to think of building a school for girls. A meeting of the citizens was held in 1835, and a sum of money was raised, and a site chosen on a high hill overlooking the city.

The money and site were given to the Methodist Conference, and a school was built, which was named the Georgia Female College. It was opened in January, 1839, George F. Pierce being president. The first class graduated in 1840, and since that time nearly fifteen hundred young women have received diplomas at the institution. In 1843 the name was changed to Wesleyan Female College. It is the first college in the world chartered to confer degrees upon women.

GEORGE F. PIERCE.

One of the notable men of the period was Rev. James Osgood Andrew, of Oxford, the first Methodist bishop from Georgia. He was elected bishop by the General Conference of the Methodist Church in Philadelphia in 1832. At that time there was only one Methodist Church organization for all the United States, but now there are two organizations—the Northern Methodist Church and the Southern. The division came about in this way. The General Conference which met in New York in 1844 regarded it as a grave matter that Bishop Andrew was the owner of a few slaves, and it passed a resolution deposing him from his office unless he would sever his connection with what they called the "great evil." This gave offence to the Methodist Church in slave-holding States, and in 1845 they formed a separate organization called the Methodist Episcopal Church, South.

BISHOP ANDREW.

[Jesse Mercer was born in North Carolina in 1769. He became a Baptist preacher before he was twenty years of age. So eager was he for knowl-

edge that he went to school two years after he married. In 1798 he was a member of the convention for revising the Constitution. He was once urged to permit his name to be presented as candidate for governor, but he declined. He died in 1841, and was buried at Penfield, near the first site of Mercer University.]

[Ignatius Alphonso Few, LL.D., was born in Warren County, Georgia, on the 11th of April, 1790. He practised law till the beginning of the War of 1812, when he entered the army and rose to the rank of colonel At the close of the war he went to Augusta. It is said that he was inclined to infidelity or agnosticism. At his home, however, preachers of all denominations always met a cordial welcome. By his association with them his faith in Christianity became fixed, and he joined the Methodist Church and entered the ministry. He died in Athens, Ga., in 1845.]

[James Osgood Andrew was born near Washington, Wilkes County, 1794. His father was probably the first itinerant minister, and his mother one of the first converts in the Methodist Church in Georgia. Bishop Andrew had but meagre opportunities of attending school, so he was to a great degree self-educated. He entered the ministry when he was nineteen years of age. He died in 1871.]

QUESTIONS.

Who founded Mercer Institute? After whom was it named? What did it become later? Tell about the town of Penfield. Who founded the Oglethorpe University? Was it successful? Who founded Emory College? Who was its first president? Who first introduced a bill for the higher education of females? How and when was the Georgia Female College founded? What is it now called? What distinction belongs to it as to conferring degrees on women? Tell about the division of the Methodist Church organization.

TOPICS.

1. Mercer University.
2. Emory College.
3. Wesleyan Female College.
4. Methodist Church organization.

CHAPTER XLIII.

OUR FIRST RAILROADS.

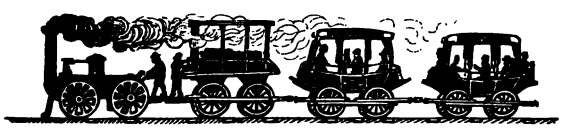
"Such a State, the cherished abode of a free, enlightened, and enterprising people, is called to the consideration of the high duties which, in the providence of God, are devolved upon her."—J. M. BERRIEN.

THE first passenger railroad train in the United States was run in 1830 between Washington city and Baltimore. Everybody then began to think of railroads. The public mind, however, was not fully made up as to which mode of travelling was best, whether by railroad, by turnpikes, or by canals. The press of Augusta and Macon advised the people to be careful about trying steam cars and railroads. They advocated good highways, but they were not certain that railroads were safe or useful. At a convention at Eatonton to discuss the subject of transportation, it was decided not to recommend any particular plan until the matter had been more fully investigated. However, as time went by, every one began to see the advantage of steam cars over stage coaches, and public opinion in Georgia soon strongly favored a railroad system for the State. The general idea was to connect Savannah and Macon by a railroad; to connect Augusta with the towns of Athens, Madison, and Eatonton; and to build a line from the junction of these to the Tennessee River.

The Georgia Railroad received its charter in 1833, and the road was begun from Augusta, with the plan of extension to some point in the interior of the State. At first the road was to run to Union Point, with branches to Athens, Madison, and Eatonton. In 1837 a portion of the road was finished, and cars began to run and carry passengers and freight. By the end of 1839 seventy-seven miles had been constructed, and

the road was in operation to Greensboro. By 1840 eighty-eight miles were finished, and the next year the road was extended to Madison, and the Athens branch was completed.

Meanwhile the construction of other roads was in progress. In 1834 a survey had been made between Savannah and Macon, and in 1836 the charter of the Central road was granted. By this time the people had fully realized the great importance and benefit of the railroad system, and when news was received in Macon that the charter had been granted, the city was illuminated, bonfires were lighted, the church bells were rung, cannon were fired, and public speeches were made. The building of the road from Savannah was at once begun, and, as it



EARLY AMERICAN RAILROAD TRAIN.

advanced, the stage routes to Macon were made shorter. At last, in 1843, the first passenger car arrived at the temporary depot, two and a half miles from Macon. The road was one hundred and ninety miles long, and, at the time it was completed, it was the longest railroad in the world built and owned by one company. The master spirit of the undertaking was William W. Gordon of Savannah, the first president.

Another road was in process of building at this time. It was from Macon to Forsyth, and was first called the Monroe Railroad. It was chartered in 1833, and work was commenced in 1835. The track was completed from Macon to Forsyth in December, 1838, and the first passenger train run over the road, carrying a large number of citizens of Macon. When the train arrived at Forsyth it was greeted with cheers, speeches were made, and the visitors entertained at a banquet.

It had at first been intended to carry the road only to For

syth, but in 1836 the charter was amended so that the road might be extended to some point on the Chattahoochee River, to be subsequently decided upon. The road was afterwards called the Macon and Western Railroad, and it has since become a part of the Central Railroad system.

While these roads were being built from Savannah, Augusta, and Macon, work was begun on the road with which they were to connect, and which would extend through the Cherokee country to the Tennessee River. This road was chartered in 1836, and was built at the expense of the State. For this reason it is often called the "State Road," though its proper name is the Western and Atlantic Railroad. An elevated location, seven miles east of the Chattahoochee River, was selected as the point where the new road should begin and the two roads from the south should end. In 1845 the Georgia Railroad was completed to this point, which the engineers first called Terminus. The State authorities named it Marthasville, for a daughter of Governor Lumpkin. This name was subsequently changed by the State Legislature to Atlanta, and the city which grew up there became the centre of the railroad system of the State.

In 1840 there were six hundred and thirty-six miles of railroad graded in Georgia, which was more than was in any other State, or country of the world, at that time.

QUESTIONS.

What was the first passenger railway train in America? Tell about the convention at Eatonton. What road was first chartered? Tell about the Central road. What other road was being constructed at the same time? Where is the State road? Why is it so called? What was made the centre of the State system?

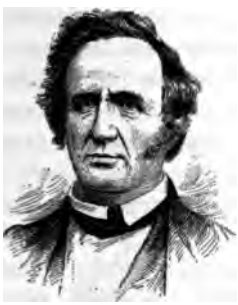
TOPICS.

1. Railroads.
2. General system in Georgia.
3. State road.
4. Atlanta.

CHAPTER XLIV.

ADMINISTRATION OF McDONALD.

"The public faith must be maintained; and to pause to discuss the question of preference between taxation and dishonor, would be to cast a reflection upon the character of the people whose servants we are."—CHARLES J. McDONALD.



GOVERNOR C. J. McDONALD.

AT the close of the year 1839 Georgia was in undisturbed possession of all its territory. The Indians had left, and the northern and southwestern parts of the State were open to settlers, who could now plant their farms and build their homes and live in peace. The administration of Charles J. McDonald as governor began with this period. He was elected in 1839 as the candidate of the Union party. His opponent was Charles Dougherty, the candidate of the State-Rights party. When McDonald was urged, during the campaign, to help to secure his own election by making certain promises and "trades," he replied, "I have never bargained for any office, and if I do not get this office without conditions, I shall never reach it." He meant that he would make no promise to give an office or other reward to any person for supporting him, but that, if elected, he would do his duty according to the laws.

The first subject which demanded the attention of the new governor was the condition of money affairs in the State. There was a general complaint of "hard times"; money was scarce; credit had been abused; speculation had been wild

and unsuccessful; and the people were burdened with debt. Cotton dropped to four or five cents a pound, while articles that the planters had to buy rose in price.

To add to the distress, the Georgia banks all stopped specie payments—that is, they would not pay out gold or silver, but only paper money. The legislature of 1839 passed a law forbidding banks in suspension to bring suits on notes, bonds, or other evidences of debt held by them, and a bill was passed in 1840 requiring the banks to resume specie payments or give up their charters.

The presidential election of 1840 came on in the midst of the financial gloom which hung over the country. Martin Van Buren was nominated by the Democratic party for reëlection. The National Republican party, of which Henry Clay and Daniel Webster were the leaders, was now known as the Whig party, and it nominated William Henry Harrison of Ohio as its candidate. In Georgia the Democratic party, made up chiefly of the old Clark party, supported Van Buren, under the leadership of Forsyth, McDonald, and Lumpkin. The State-Rights party of Georgia, which, under Berrien, Gilmer, and Dawson, had carried the State, four years before, for Hugh L. White for President, against Andrew Jackson, supported Harrison and became known as the Whig party, although some of its leaders, as Governor Gilmer, never admitted being Whigs.

Harrison was popular as a soldier of distinguished record. While not engaged in public affairs, he lived upon his farm, in his log cabin, cultivated his orchard, and made hard cider—hence the campaign was known as the "hard cider campaign."

In August, 1840, a great Harrison convention met in Macon. It was the largest public meeting which up to that time had ever been in the State. There were not then many miles of railroad leading to Macon, and people came long distances on horseback and in carriages and wagons. Some made log cabins, mounted them on wheels, and drove fifty to eighty

miles, living in them while on the way. The number that crowded into the town was estimated at fifteen thousand, and many speeches were made and resolutions passed endorsing Harrison for President. At the election Harrison carried the State by eight thousand majority. He also obtained a majority of the other States, and was elected, but he died one month after his inauguration. He was succeeded by John Tyler of Virginia, who had been elected Vice-President.

WILLIAM C. DAWSON.

In 1841 Governor McDonald was reëlected, defeating William C. Dawson, the Whig candidate. Dawson was an able man, and a member of Congress at that time. The governor, in his message to the legislature, intimated that he had borrowed over two and a quarter millions of dollars for the State, and he urged them to pass a bill levying a tax to pay this debt as well as to meet current expenses. The legislature refused, and were about to adjourn without making any provision for the financial needs of the State. Governor McDonald then ordered the State treasurer not to pay any salaries, but to retain the money in the treasury to defray the expenses of the government and to protect the Florida frontier of the State against the Indians, who at this time had begun making raids into the southern counties. The legislators themselves could, therefore, get no pay, and they were very indignant. They denounced the governor as a tyrant, and characterized his order to the treas-

BISHOP ELLIOTT.

urer as a high-handed measure. The governor's friends advised him to withdraw the order, but he refused. So the legislature was obliged to pass the bill recommended by him, and thus money was obtained for the wants of the State.

In 1841 Georgia was made a diocese of the Protestant Episcopal Church, and the Rev. Stephen Elliott was elected first bishop. He was a man of great ability, and under his fostering care his church prospered.

The census of the State at the end of 1840 showed a population of six hundred and ninety-one thousand three hundred and ninety-two, of whom two hundred and eighty thousand nine hundred and forty-four were slaves. Savannah had a population of twelve thousand, Augusta eight thousand, Macon three thousand five hundred, Columbus four thousand.

[Charles J. McDonald was a native of South Carolina. His parents came to Georgia in his infancy and settled in Hancock County. He graduated at Columbia College, South Carolina. In 1818 he began the practice of law. In 1822 he was elected solicitor-general of the first circuit, and judge of the same circuit in 1825.]

[William C. Dawson was born in Greene County in 1798. He graduated at Franklin College in 1816. He began the practice of law in Greensboro. He was a member of Congress from 1836 to 1842. In 1847 he was elected United States Senator for Georgia for a term of six years, commencing 1849. Because of his elegant manners he was called "the first gentleman of Georgia." He died in 1856.]

QUESTIONS.

Who was elected governor in 1839? What first demanded his attention? Tell about the banks and the action of the legislature. Who was elected governor in 1842? What did the new governor advise the legislature to do? What did he do when the legislature refused? What followed?

TOPICS.

1. McDonald elected governor.
2. The banks and specie payments.
3. McDonald's reëlection.
4. Census of 1840.

CHAPTER XLV.

ADMINISTRATION OF GOVERNOR CRAWFORD.—SUPREME COURT ORGANIZED.—ANÆSTHESIA.

"The first thing to be regarded in a republic is the virtue of the people; the second, their intelligence. Both are essential to the maintenance of our free institutions; the first inspires them with a disposition to do right, the second arms them with power to resist wrong."—CHARLES J. MCDONALD.

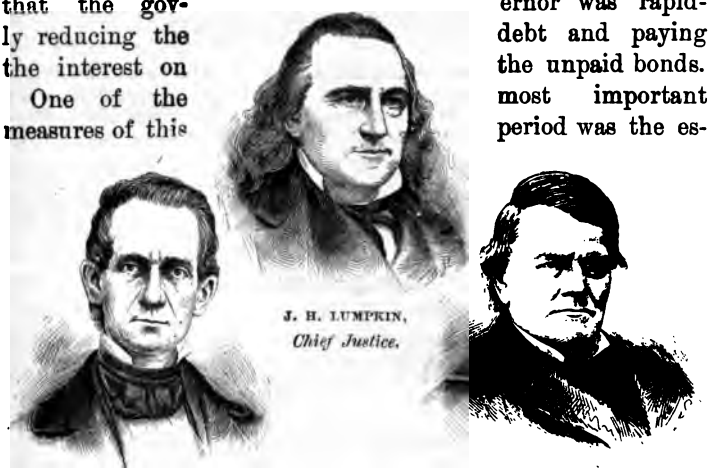
GEORGE W. CRAWFORD.

THE first convention of the Whig party met at Milledgeville on June 19, 1843. John M. Berrien, leader of the Whigs in Georgia, was made president. He had been elected to the United States Senate in 1840, to succeed Wilson Lumpkin. The convention nominated George W. Crawford as their candidate for governor. They also sent ten delegates to the Whig convention which was to meet in Baltimore in May, 1844, with directions to vote for Henry Clay for President of the United States and John M. Berrien for Vice-President. The Democrats nominated Mark A. Cooper for governor, but at the election he was defeated by Crawford. The legislature of the same year elected Walter T. Colquitt to succeed Alfred Cuthbert in the United States Senate.

WALTER T. COLQUITT.

Governor Crawford's administration devoted its attention mainly to

the financial affairs of the State. His message to the legislature of 1844 showed that the condition of the banks was improving, and that the taxes raised were sufficient to pay the debts of the State as well as the expenses of the government. The committee appointed by the legislature to investigate the affairs of the treasury and the public debt reported that the governor was rapidly reducing the debt and paying the interest on the unpaid bonds. One of the most important measures of this period was the establishment of a supreme court. In 1841 Governor Charles J. McDonald had recommended it, saying: "The decisions of the circuit judge are final and irreversible except at his will. His power in cases involving the life, property, and liberty of the citizen is absolute and appalling, and but that we have been so long accustomed to its exercise by a single individual, it would not be tolerated for a day." In 1845 the legislature completed the organization of the new court, electing Joseph Henry Lumpkin chief justice, and Hiram Warner and Eugenius A. Nisbit associate justices. This court has power to confirm or reverse the decisions of the circuit judges.



J. H. LUMPKIN, *Chief Justice.*

EUGENIUS A. NISBIT. HIRAM WARNER.

FIRST SUPREME COURT OF GEORGIA.

Before 1842, whenever it was necessary to perform a surgical operation, it could not be done without great pain to the patient. Consequently there were comparatively few surgical operations prior to that year. Now there are hundreds daily, with most beneficial results, and without any suffering to the patient. This is due to a Georgia man—Dr. Crawford Ware Long, who practised medicine the greater part of his life in Athens, Ga.

DR. LONG.

Dr. Long was born in the town of Danielsville, Ga., in 1817. He graduated in medicine at the University of Pennsylvania in 1839. After one year's study in New York city, he settled in Jefferson, Ga., eighteen miles from Athens. While at college in Pennsylvania he had learned of the exhilarating effects caused by smelling the vapor of sulphuric ether. In Jefferson the young men of the village would frequently gather in the back room of a store adjoining the doctor's office to "smell ether." When partly under its influence, these young men would begin wrestling, boxing, turning somersaults, fighting, and making laughable speeches. During these frolics severe bruises, cuts, and sprains were often received by the inhalers, Dr. Long himself among the number. Soon the doctor noticed that the injuries seemed to give not the least pain until the persons had recovered from the influence of the ether. From this he inferred that with the aid of ether a surgical operation might be performed without pain, and so the great discovery was made. Dr. Long soon put his discovery to a practical test. One of his young friends, Mr. James M. Venable, had two small tumors on his neck. Knowing that in his own case ether had deadened the pain of injuries received in the "frolics," the young man consented that

Dr. Long should remove the tumors if he would allow him to smell ether. This was done, and on March 30, 1842, the first operation ever made with ether was performed, with the result that one of the tumors was removed without pain. On June 6, 1842, the other was removed in the same painless manner. On July 3, 1842, Dr. Long amputated the toe of a negro boy, and on September 9, 1843, he removed a tumor from the head of Mary Vincent, without pain to the patients.

The State of Georgia esteemed this discovery so valuable, and the discoverer so worthy of honor, that it had a portrait of Dr. Long painted and hung in the Capitol at Atlanta.

[George W. Crawford was born in Columbia County, Georgia, in December, 1798. He graduated at Princeton in 1820, and studied law under Richard Henry Wilde. In 1822 he began to practise as a lawyer in Augusta. In 1827 he was elected attorney-general, and held that office until 1831. In 1843 he was elected to Congress, of which he was a member until elected governor.]

[Joseph Henry Lumpkin was born in Oglethorpe County in December, 1799. At an early age he entered the University of Georgia, but left it to finish his education at Princeton. He was graduated there with high honor. He devoted his time mostly to the law, and from an early age showed great ability. His health being impaired, he went to Europe for relaxation. During his absence he was chosen chief justice of the Supreme Court. No abler judge ever sat on the bench. He died in 1867.]

QUESTIONS.

What convention met at Milledgeville in 1843? Who was elected governor in 1843? What court was established in 1845? Who were its first judges? What discovery in surgical science was made in 1842? Who was the discoverer? Tell how he came to know about the effects of sulphuric ether. What was the first operation to test the new method?

TOPICS.

1. The Milledgeville convention.
2. *Crawford* elected governor.
3. The first Supreme Court.
4. Dr. Long's discovery.

CHAPTER XLVI.

GEORGIA IN THE MEXICAN WAR.

"Where Liberty dwells there is our country."—*Flag Emblem.*

WHILE Texas was still part of Mexico, it was settled by people from the United States, and when Santa Anna, the Mexican president, refused to grant them a State constitution, they revolted, and set up a government of their own. Volunteer companies were organized in the United States to aid Texas in its revolt. A company of soldiers went from Georgia under command of Colonel William Ward of Macon, and joined the regiment of Colonel Fannin of North Carolina, which was stationed at Fort Goliad in Texas.

When Colonel Ward was about to leave Georgia, a lady of Knoxville, Crawford County, presented to his company a flag of plain white silk, bearing a lone blue star of five points. On one side of the flag was the inscription "Liberty or Death"; on the other side was a motto in Latin, the translation of which is printed at the head of this chapter. The flag was used by Colonel Ward, and his men called it "The Flag of the Lone Star." It is said that it was afterwards adopted as the flag of the republic of Texas.

Ward and his command were sent to assist Colonel King in rescuing women and children at a mission church thirty miles from Fort Goliad. At the mission they were attacked by a large force of Mexicans, which they defeated, the Mexicans losing two hundred men, while Ward had only three wounded. Ward then set out for Victoria.

Meanwhile another large body of Mexicans attacked Fannin at Fort Goliad, and he was ordered by General Houston to

retreat to Victoria. Believing the Mexicans too cowardly to attack him, he set out for Victoria. On the march he was intercepted and surrounded by the Mexican army. He repelled the attack, but on the second day the Mexicans brought up their artillery, and Fannin, seeing resistance hopeless, surrendered upon the written condition that he and his men should be sent to the United States. They were first taken back to Fort Goliad.

When Ward reached Victoria he found himself surrounded by Mexicans, and he also surrendered, and was brought to Fort Goliad, where Fannin's men were confined. Next morning they were marched out of the fort, expecting to be sent to New Orleans, but every man was shot down in cold blood, Ward and Fannin among the rest. Such was the fate of the Georgia battalion.

When General Houston defeated Santa Anna and the Mexicans in April, 1836, a treaty of peace was made by which Texas became free and independent. The president of the republic of Texas from 1838 to 1841 was Mirabeau Lamar, a Georgian. In 1837 the new republic asked for admission into the Union of the United States, and for several years the "annexation of Texas" was a national question. James K. Polk was elected President of the United States by the Democrats in 1844 on the platform of favoring its admission. Henry Clay, the Whig candidate, opposed annexation, and Georgia, at the time a Whig State, was carried by the Democrats for Polk. But on March 1, 1845, three days before Polk's inauguration, Texas was admitted by resolution of Congress. Troops were at once sent to protect its frontier from the Mexicans, and soon afterwards Mexico declared war against the United States.

George W. Crawford was reëlected governor in 1845, after a warm campaign, defeating M. H. McAllister.

In May, 1846, the War Department called on Georgia for a regiment of infantry to serve in Mexico. A prompt response

was given. In June ten companies from various parts of the State met at Columbus and formed a regiment. Henry R. Jackson of Savannah was chosen colonel. This regiment went at once to Mexico, where it stayed for twelve months. But it had no encounter with the enemy, and the only service it rendered was by details of soldiers, for guarding money trains and provision wagons. The regiment was sent to camp at a very unhealthy place, so that many of the men died.

COMMODORE JOSIAH TATTNALL.

Other companies were formed throughout the State, while many brave recruits went alone to join the regular United States army, and did valiant service. Numbers lost their lives in the bloody battles of the war, among whom was Colonel James McIntosh, a hero of the War of 1812. He had gone into the army of the United States, had fought in the principal battles of the war, and was wounded at Palo Alto. After other brilliant victories his command reached the very walls of the City of Mexico, where he fell at the head of his troops. Commodore Josiah Tattnall of Georgia played an important part in all the naval operations. He commanded a fleet known as the "Mosquito Division."

GENERAL DAVID E. TWIGGS.

Among other Georgians who distinguished themselves in Mexico were General W. H. T. Walker, Lieutenant William M. Gardiner, and General David E. Twiggs. The legislature

of Georgia presented to each of these officers, and also to Commodore Tattnall, an elegant sword in recognition of the bravery with which they had upheld the honor of the State.

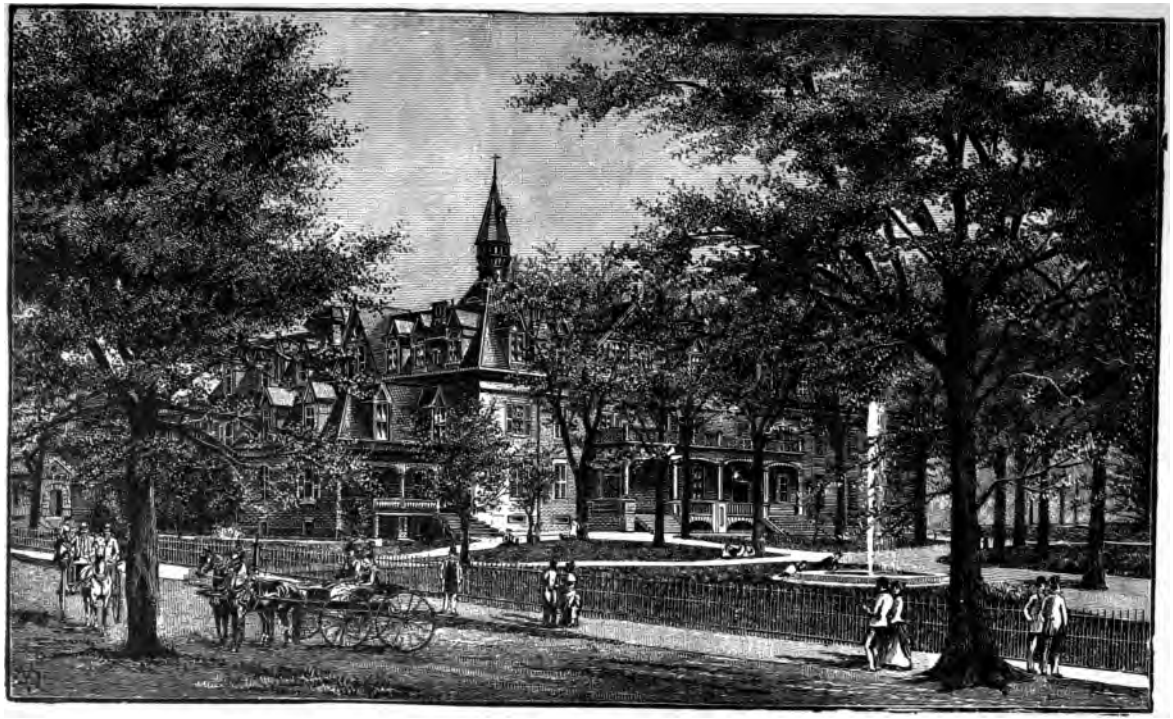
The Mexican War was brought to an end by a succession of brilliant victories by the United States generals. General Scott captured the City of Mexico September, 1847, and General Taylor defeated Santa Anna, gaining possession of all the northern province of Mexico. A treaty of peace was concluded February 2, 1848, by which the United States acquired the territory including California, Utah, New Mexico, Nevada, and Texas, Mexico receiving fifteen million dollars from the United States.

General Zachary Taylor of Louisiana, who was called "Old Rough and Ready" by his soldiers, had been a hero in the Mexican War. He was nominated by the Whigs for President of the United States in 1848 and was elected. Georgia's vote was cast in his favor. He appointed George W. Crawford secretary of war. Walter T. Colquitt resigned his seat in the United States Senate in 1848, and Herschel V. Johnson succeeded him.

[In 1845 the legislature provided for the establishment of a school for deaf and dumb. In time handsome buildings were erected at Cave Springs, in Floyd County, where the school is located.]

[Commodore Josiah Tattnall, son of Governor Josiah Tattnall, was born near Savannah in 1795. He served in the War of 1812 with distinction. When war was declared with Mexico he was appointed to the command of a fleet to defend the landing of General Winfield Scott's army. He resigned the service of the United States and joined the Confederate States navy, and was assigned to the command of the naval defence of the Georgia and Carolina coasts. He died in Savannah, 1871.]

[David E. Twiggs was born in Richmond County in 1790. He served throughout the War of 1812, holding various offices. He was in the Mexican War under General Taylor at Palo Alto and Resaca de la Palma. He was made brigadier-general, brevetted major-general for gallantry at



SCHOOL FOR THE DEAF, CAVE SPRINGS, GA

Monterey, and Congress presented to him a sword. In 1848 he became military governor of Vera Cruz. He was appointed brigadier-general in the service of the Confederacy, but resigned in 1861. He died in September, 1862.]

[Mirabeau B. Lamar was born in Louisville, Ga., 1798. He was a farmer and merchant until 1828, when he founded a State-Rights journal known as the Columbus Independent. In 1835 he went to Texas and joined the Revolutionary party. He became a major-general of the republic and secretary of war. In 1836 he was vice-president, and from 1838 to 1841 was president of the republic. He served during the Mexican War with distinction. He died, 1859, in Texas.]

[Henry R. Jackson, nephew of Governor James Jackson, was born in Athens, Ga., 1820, and graduated at Yale College in 1839. He began to practise law in 1840, was United States district attorney in 1843, and a colonel of a Georgia regiment in the Mexican War. He was minister to Austria in 1854, and after his return to Savannah was appointed associate counsel in the prosecution of the persons engaged in importing slaves on the "Wanderer." He was appointed major-general to command the Georgia forces during the war between the States (1861–1865), and the Confederate Government commissioned him brigadier-general. During Cleveland's administration he was minister to Mexico. He died May 23, 1898.]

QUESTIONS.

Who commanded the Georgia troops that went to aid the revolt of Texas? Describe the fight at the mission church. Tell about the massacre of Fannin's men. What Georgian was president of the republic of Texas? Who was elected governor in 1845? What call was made on Georgia by the War Department in 1846? How did Georgia respond? Who commanded the regiment? What other help did Georgia give in the Mexican War? Tell about the service of Colonel McIntosh. What Georgian gave important service in the navy? How did the war end? What Georgian was made secretary of war in 1848?

TOPICS.

1. Texas revolt.
2. Massacre of Fannin's men.
3. Mexican War.
4. Crawford secretary of war.

CHAPTER XLVII.

CONTEST OVER SLAVERY IN THE TERRITORIES.

"The slaveholder can no longer look to the Constitution as the charter of his rights."
—GOVERNOR TOWNS in 1850.

GOVERNOR GEORGE W. TOWNS.

GEORGE W. TOWNS, of the city of Macon, was elected governor in 1847. He was the Democratic candidate. The nominee of the Whig party was General Duncan L. Clinch, who had served with distinction in the United States army in 1812, and had defeated the Seminoles in Florida in 1835. Governor Towns was reëlected in 1849, defeating E. Y. Hill, a Whig.

As a result of the Mexican War the United States acquired New Mexico and California, which extended the Federal domain to the Pacific Ocean. The discovery of gold in California in 1848 led to the rapid increase of its population, and in 1849 the people of the Territory applied for its admission to the Union as a State, with a clause in its constitution prohibiting slavery. To this the representatives of the Southern States objected, claiming that this constitution was illegal, and proposing to apply to that Territory the principles of the Missouri Compromise, because half

GENERAL DUNCAN L. CLINCH.

of the Territory lay south of the parallel 36° 30'. In 1820 Congress had passed the Missouri Compromise, by which slavery was permitted in all territory south of that line. They, moreover, demanded the passing of a fugitive-slave law to give them the protection guaranteed by the Constitution of the United States. Congress refused to pass such a law. The Southern leaders in Congress then notified the Southern States that their civil rights were threatened, and they advised that a convention of the people be called in each State to consider the situation. Accordingly, the Georgia legislature, at once, called a convention of the people of Georgia, to meet at Milledgeville in December, 1850, and other Southern States took the same course.

A long and bitter controversy in Congress followed, which ended by the passing, in separate bills, of the measures of the famous Omnibus Bill, introduced by Henry Clay, of Kentucky. This bill provided that California should be admitted without slavery; that New Mexico and Utah should be organized as Territories and left to settle the question of slavery for themselves, and that a law should be passed for the arrest and return of escaped slaves. Both sides accepted the bills, and they were passed, and peace was restored for the time.

These compromise bills, known as the compromise measures of 1850, received the approval of the Georgia Congressmen, leading Whigs and Democrats supporting them as the best that could be done, the desire of all being to save the Union at every sacrifice except the right guaranteed by the Constitution of protection to their property. It was a Georgia statesman, Howell Cobb, who, as Speaker of the House of Representatives of Congress, presided over its stormy sessions in 1849 and 1850, with a fairness and firmness that won the praise of both sides.

The convention of the people, which had been called before the passage of the compromise measures, assembled at Milledgeville, December 10, 1850. As the people generally accepted the compromise measures, the majority of the dele-

gates favored the Union party. A committee was appointed to draw up a report for the convention. This famous report was written by Charles J. Jenkins, and was known as the Georgia Platform. It declared Georgia attached to the Union; it regretted the agitation on the slavery question, and insisted on the right of the States to settle the matter for themselves; it avowed the willingness of the State of Georgia to abide by the compromise measures of Henry Clay; it declared the *State of Georgia ought to and will resist any action of Congress that would disturb the safety and violate the rights and honor of the slave-holding States.* The meaning of all this was that Georgia would stay in the Union as long as it could with honor and safety to itself, for the people loved the Union and did not want it broken.

November 10, 1850, the Roman Catholic Church made the State of Georgia a separate diocese and called it the Diocese of Savannah. The first bishop was the Right Reverend Francis X. Gartland, D.D. He died of yellow fever while caring for the sick during the epidemic of 1854 in Savannah.

BISHOP GARTLAND.

According to the census of 1850, the population of the State was nine hundred and six thousand one hundred and eighty-five, of which three hundred and eighty-four thousand six hundred and thirteen were slaves.

The annual production of cotton was four hundred and ninety-nine thousand bales, of wheat one million bushels, of oats four million bushels, and of corn thirty million bushels. The total crops were valued at forty-seven million dollars. Exports had increased to nine million dollars, and imports to seven hundred thousand dollars. These statistics, compared

with those of 1840, show a great growth in the material wealth of the State.

[George W. Towns was born in Wilkes County in 1801. His parents were from Virginia. A fall from his horse produced a hemorrhage from the lungs, the recurrence of which at times threatened his life. He moved to Alabama, and began to practise law in that State in 1824, but returned to Georgia in 1826, and represented Talbot County in the legislature for several years. In 1834 and 1836 he was elected member of Congress. In 1839 he resumed the practice of law and continued it until 1846, when he was again elected to Congress. He died in Macon in 1854.]

[Duncan L. Clinch was born in North Carolina in April, 1788. He served throughout the war of 1812. In 1835, having attained the rank of brigadier-general, he was placed in command of the United States forces then operating against the Seminole Indians in Florida. He closed this war by a decisive victory over the Indians under their great chief Osceola at the battle of Withlacoochee. Soon afterwards he retired from the army and devoted himself to his large planting interests in Camden County, Georgia. He died in Macon, Ga., November 27, 1849.]

QUESTIONS.

Who was elected governor in 1847 and again in 1849? What did the United States acquire by the Mexican War? What did California apply for? Who objected, and why? What did the Georgia legislature do? What was the Omnibus Bill? Did the Georgia Congressmen approve of it? What was done at the Milledgeville convention? What was the population in 1850?

TOPICS.

1. George W. Towns.
2. Disputes over California.
3. The Omnibus Bill.
4. The Georgia Platform.

CHAPTER XLVIII.

POLITICAL DISTURBANCES.

"Our greatest danger is that the Union will survive the Constitution."—ROBERT TOOMBS.

GOVERNOR HOWELL COBB.

AT the election for governor in 1851 the Union party, which included the Whigs and the Union Democrats, nominated Howell Cobb, a Union Democrat, who was elected. He was then in the prime of his intellectual power. His election showed how strong was the devotion of the State to the Union, his opponent being the candidate of the Southern Rights Democrats, ex-Governor Charles J. McDonald.

At the presidential election in 1852, many voters in Georgia gave a complimentary vote in favor of the venerable ex-Governor George M. Troup, but the vote of the State was cast for Pierce, who was elected. The Whig candidate, General Scott, failed to endorse the fugitive-slave law, and many Georgia Whigs refused to vote for him. This election broke the Whig power in the State, and the party never carried it again.

ROBERT TOOMBS.

John M. Berrien, desiring to retire from public life, resigned his seat in

the United States Senate in 1852. The governor appointed Robert M. Charlton for the unexpired term, and in 1853 Robert Toombs, one of the most brilliant men in the State, who had been a leading Whig, was elected to the office. He became very prominent by his oratory in the Senate in defence of the constitutional rights of the Southern people. At this time, however, he did not advocate secession.

In 1853 Herschel V. Johnson, candidate of the Democratic party, was elected governor, and he was reëlected in 1855.

GOVERNOR H. V. JOHNSON.

It was soon found that the compromise measures had not settled the contests between the North and the South. The Northern and the Western States passed laws called personal liberty laws which nullified the fugitive-slave law of Congress and the provision of the Constitution. The Democrats contended that the North had violated the Missouri Compromise, and in 1854 Congress passed the famous Kansas-Nebraska Bill, introduced by Stephen A. Douglas, of Illinois. This bill gave the settlers of Kansas, which lies north of 36° 30′, the right to decide whether they should have slavery or not. Immediately each party began to send settlers into the Territory in order to have a majority in favor of its views when a State Constitution should be voted on. Settlers sent out for such a purpose could not be expected to live together in peace, and soon a regular war was waged between them.

These struggles caused great excitement, and in 1856 the Republican party nominated General John C. Fremont for President. This party in 1831, taking the name of the Liberty party, had started an agitation for the abolition of slavery. They nominated a candidate for President in 1840, and he received seven thousand votes. Four years later the same can-

didate received sixty-two thousand votes. In 1848 the Liberty party took the name of the Free Soil party, and nominated ex-President Van Buren as their candidate. They did not favor abolition, but merely opposed any further extension of slavery. With the support of Northern Whigs their candidate received three hundred thousand votes. At the election of 1852 their vote was not so great, those Whigs who had before supported them being now satisfied by the compromise measures of 1850.

But the Kansas-Nebraska Bill revived bitter feeling among the anti-slavery men in the North, and in 1856 many Whigs supported the candidate of the Free Soil party, which now became known as the Republican party. Other Whigs joined the American, or "Know Nothing," party, whose leading principle was opposition to foreigners being made citizens until after a long term of residence. In Georgia, in 1855, most of the Whigs went into this party, including Benjamin H. Hill.

The candidate of the Democratic party at the presidential election of 1856 was James Buchanan of Pennsylvania, who was elected. In the campaign the extension of slavery in the Territories was the only question discussed. President Buchanan appointed Howell Cobb his secretary of the treasury.

In 1855 the legislature elected Alfred Iverson, a Southern Rights Democrat, to succeed William C. Dawson in the United States Senate.

ALFRED IVERSON.

[Howell Cobb was born in Jefferson County, Georgia, in 1815. At nineteen he was graduated at the University of Georgia. In 1836 he was admitted to the bar and at once gave evidence of a high order of talents and attainments. In 1837 he was elected solicitor-general of the western circuit. In 1842 he was elected to Congress, and became one of the leading men in that body. In 1850 he was elected Speaker of the

House of Representatives. After his term of governor expired he reëntered Congress, and became secretary of the treasury under President Buchanan. He resigned at the beginning of the war, and threw all his energies into the movement for secession. He became a major-general in the service of the Confederate States. He died in New York, October, 1868.]

[Herschel V. Johnson was born in Burke County in 1812. He graduated at the university in 1834, studied law and practised in Augusta until 1839. In 1840 he entered politics as a Democrat, and moved to Milledgeville to live. He became a United States Senator in 1848. In 1849 he was elected judge of the Ocmulgee district, which office he held until chosen governor. In 1860 he was nominated for Vice-President on the ticket with Stephen A. Douglas. He opposed the secession of Georgia, but when the fact was accomplished threw in his lot with his State and was chosen to the Confederate Senate. After the war he was made a Senator of the United States from Georgia, but was not allowed to take his seat. He died in Jefferson County in 1880.]

[Alfred Iverson was born in Burke County, Georgia, in 1798. He graduated at Princeton College in 1820; studied law and commenced practice at Columbus. He was a judge of the State Supreme Court. He was elected a representative in Congress, and served as United States Senator from 1855 to 1861. He died at Macon, 1874.]

QUESTIONS.

Who was elected governor in 1851? Who was elected governor in 1853 and 1855? Tell about the Kansas-Nebraska Bill and the Free Soil party. What Georgian was appointed to office by President Buchanan?

TOPICS.

1. Cobb elected governor.
2. Johnson elected governor.
3. Kansas-Nebraska Bill.
4. Free Soil party.

CHAPTER XLIX.

WAR THREATENING.

"The Union under the Constitution knows no section, but does know all the States."—BENJAMIN H. HILL.

GOVERNOR JOSEPH E. BROWN.

THE convention of the Democratic party in Georgia in 1857 for nominating a candidate for governor balloted for three days without agreeing. At the end of the third day a committee was appointed to select a candidate. This committee decided not to recommend any of the names that had been before the convention, but chose a new man—Joseph E. Brown—and he was nominated. The people of Georgia did not know much of him at that time. When Toombs, who was travelling in Texas with a party of friends, heard of the action of the convention, he asked, "Who is Joe Brown?" But everybody was soon to find out, for he was destined to manage the affairs of Georgia throughout the stormiest period of its history. The American, or Know Nothing, party nominated Benjamin H. Hill, but Brown was elected.

At the election in 1859 Governor Brown was reëlected. Only a few days afterwards John Brown entered Virginia, and tried to arm the slaves. This aroused intense feeling in Georgia and all over the South. All local issues were now forgotten, and the only question discussed among the Southern

people was how to end forever the troubles over the protection of their property.

Amid intense excitement the National Democratic Convention met at Charleston in April, 1860, to nominate candidates for President and Vice-President, and adopt a platform for the party. The Supreme Court of the United States had decided (in the Dred Scott case) that under the Constitution slaves were property, that they could be taken into any of the Territories under the control of the government, and that it was the duty of Congress to protect the owners in their property in all the Territories. A bitter fight arose in the convention over a resolution declaring it to be the duty of Congress to protect property in the Territories, and the majority, made up of Northern delegates, voted down this resolution. When the majority of their own party voted against giving their property the protection to which the Supreme Court had decided they were entitled, the delegates from six Southern States withdrew. The Georgia delegation retired to consult. They were unanimous in believing the resolution to be right, but were divided as to the policy of insisting upon it. Twenty-six of the delegates, headed by Judge Benning, withdrew. Ten remained, and the majority of the convention, without making any nomination, adjourned to meet in Baltimore in June. The seceding delegates called a convention to meet in Richmond at the same time.

After the Georgia delegates returned home, a second State convention of the Democrats was called, at which a large majority sustained those delegates who had withdrawn from the Charleston convention. A minority, led by Herschel V. Johnson, organized another convention and elected contesting delegates to Baltimore. In six other Southern States minorities did the same thing. When the convention reassembled in Baltimore, the majority decided to seat the contesting delegates. Then the other delegates from the South and a majority of those from six Northern States withdrew.

The Baltimore convention nominated Stephen A. Douglas for President, and adopted a plank which declared that the settlers or "squatters" in a Territory should determine whether slavery should be permitted. Herschel V. Johnson, of Georgia, was afterward placed on the ticket for Vice-President.

The delegates who withdrew organized a separate convention, also in the city of Baltimore, adopted the resolution which had been voted down at Charleston, and nominated John C. Breckenridge, of Kentucky, for President, and Joseph Lane, of Oregon, for Vice-President. This was ratified by the Richmond convention.

The Republican party nominated Abraham Lincoln, of Illinois, for President, and Hannibal Hamlin, of Maine, for Vice-President. Their platform opposed the extension of slavery in the Territories. It did not advocate the abolition of slavery in the States, and it even denounced John Brown's raid.

The Whigs of Georgia, under Ben Hill, organized a Constitutional Union party and adopted a platform sustaining the Dred Scott decision and favoring "constitutional union." The leaders of the party in the United States held a national convention and adopted the name of the Georgia party, but did not adopt its platform. Without making any platform, they nominated Bell, of Tennessee, for President, and Everett, of Massachusetts, for Vice-President.

The difference between the parties was mainly on the question of the *extension of slavery* in the Territories. No party advocated the direct abolition of slavery in the States.

The result was that Lincoln and Hamlin were elected by a majority of electoral votes, although they failed to get a majority of the popular vote. There was no election by the people in Georgia. As the united vote for Bell and Douglas was greater than the vote cast for Breckenridge, the election was thrown into the legislature, which elected the Breckenridge-Lane electors, and the vote of Georgia was cast for those candidates. The State-Rights leaders claimed that the

result of this election showed that a sectional majority of States in the United States had voted against the protection to property which the Constitution guaranteed, because a majority of those States had voted against the platform which contained this resolution. They held that, in view of this fact, the only thing left for the Southern States was to withdraw from the Union.

South Carolina passed an "ordinance of secession" on December 20, 1860, withdrawing from the Union, declaring that the Northern States had violated the Constitution, and that the principles of the Republican party would destroy the rights of the States.

This act of South Carolina caused great excitement all over the South. The event was celebrated in Georgia by large gatherings, speeches, and torch-light processions. In Atlanta guns were fired at sunrise and from noon to sunset. There were many, however, who looked upon the act of South Carolina with grave fears and with sad hearts.

When the legislature of Georgia met in 1860, Governor Brown intimated that seventy thousand dollars had been spent for arms, and advised an appropriation of one million dollars to defend the State against invasion. The legislature created the office of adjutant-general. Ten thousand troops were called for, and one thousand rifles and carbines ordered to be purchased.

The census of 1860 showed that the population was one million and fifty-seven thousand two hundred and eighty-six, of which nearly half were slaves. The real estate and personal property were valued at over six hundred millions, while nearly two million dollars were invested in manufactures.

[Joseph E. Brown was born in South Carolina. In his youth he worked hard on his father's farm, attending country schools some part of each year. When he was nineteen the family moved to Georgia, and settled in Union County, at a place called Gaddistown. Young Brown used to drive two oxen to Dahlonega, selling wood, vegetables, and other things

to aid in supporting the family. He went to South Carolina to school, and his father gave him a suit of home-made clothes, and the two oxen to pay for his board. He borrowed the money to pay for his tuition. When he returned to Georgia he was twenty-two. He taught school until he paid back the money he had borrowed. He studied law, was admitted to the bar, and rose to be a judge. He was only thirty-six years of age when he was nominated for governor. It is said that at the time he was nominated he was in his field binding wheat. He died in Atlanta, November 30, 1894, in the seventy-third year of his age.]

[Robert Toombs was born in Wilkes County in 1810. He studied at the University of Georgia, and was graduated at Union College in 1828. He attended law lectures at the University of Virginia, and before he was twenty-one years of age was admitted by special act of the legislature to practise law. He settled in his native county and won reputation for brilliancy and eloquence that few lawyers ever enjoyed. He was a captain in the Creek War of 1836, under General Winfield Scott. In 1842–1843 he took an active part in politics as the leader of the State-Rights Whigs. He was sent to Congress as a Whig, and his speeches placed him at once among the most prominent and powerful debaters in that body. After serving eight years in the lower house, he took his seat in the Senate in 1853, and contributed much to the discussions that led finally to the secession of the Southern States. He was secretary of state in the Confederate cabinet, and brigadier-general of infantry in the Confederate army. After the war he spent some time in Europe, and on his return he resumed the practice of law. He died December 15, 1885.]

QUESTIONS.

Who was elected governor in 1857? Tell about the National Democratic convention of 1860. What did the seceders do? What did South Carolina do after the presidential election of 1860? How was the intelligence of the action of South Carolina received in Georgia? What did the governor intimate to the legislature of 1860, and what did he advise?

TOPICS.

1. Brown elected governor.
2. National conventions of 1860.
3. Secession of South Carolina.
4. Governor Brown's message.

CHAPTER L.

GEORGIA SECEDES.

"We have appealed time and time again for these constitutional rights. You have refused them. We appeal again. Restore us those rights as we had them, as your court adjudges them to be, just as our people have said they are; redress these flagrant wrongs, seen of all men, and it will restore fraternity, and peace, and unity to all of us. Refuse them, and what? We shall then ask you, 'Let us depart in peace.'"—ROBERT TOOMBS.

THE leading men of Georgia agreed that if Mr. Lincoln were elected on the platform which denied them protection for their property in the Territories, the people of Georgia should decide what the State would do. Accordingly, as soon as the result was known, the legislature called a State convention of delegates to be elected by the people and instructed to act for them.

The canvass for the election of delegates was very exciting. In nearly every county meetings were held, and, in a majority of these, resolutions passed in favor of secession. But many able men were opposed to this course. Among them were Herschel V. Johnson, Alexander H. Stephens, and Benjamin H. Hill. Howell Cobb was in favor of secession, and he gave up his office of secretary of the treasury in the cabinet of President Buchanan. Thomas R. R. Cobb, who, until now, had kept out of politics, but who, as a citizen of public spirit, was loved and respected by everybody, spoke to the people with eloquence in favor of separation. Ex-Governor

ALEXANDER H. STEPHENS.

Wilson Lumpkin, in his old age, wrote a letter urging secession. Robert Toombs continued his fiery speeches in the Senate of the United States, and younger politicians entered heartily into the struggle.

At a great gathering in Atlanta, while Francis S. Bartow was addressing the people, a telegram was handed to him informing him that Fort Moultrie in Charleston harbor had been burned by Federal troops, that the garrison had gone over to Fort Sumter, and that Charleston had ordered out two regiments of soldiers. Bartow read the despatch to the crowd, who became almost wild with excitement. Then he exclaimed: "You hear the thunder of cannon and the clash of sabres from South Carolina. Is this gallant, noble State to be left alone?" Loud cries of "No! Never! Never!" came from every part of the vast assemblage.

BENJAMIN H. HILL.

Governor Brown now determined to seize Fort Pulaski, at the mouth of the Savannah River, before the Federal authorities had time to strengthen it. Proceeding to Savannah, he ordered the First Regiment of Georgia Volunteers, under Colonel A. R. Lawton, to seize the fort, which was to be held until the convention of the State should decide whether Georgia would remain in the Union or separate from it. The seizure was made on the morning of January 3, 1861. The fort was rapidly put in order so as to protect the river in case of invasion. This was done while Georgia was still in the Union.

Meanwhile Mississippi, Florida, and Alabama also withdrew from the Union. The eyes of the country were then turned toward Georgia. If Georgia seceded, there was no longer any hope of winning back those States. The convention met January 16, 1861. The president was George W.

Crawford, who had been governor in 1843. Among the delegates were the ablest men in the State. Some were for secession and some were against it. A resolution was introduced by Eugenius A. Nesbit in favor of secession. This brought the issue before the convention, and the battle of giant minds began. The speeches were eloquent. Judge E. A. Nisbit, T. R. R. Cobb, Robert Toombs, and Francis Bartow advocated secession. Herschel V. Johnson, Alexander Stephens, and Benjamin Hill opposed it, and urged coöperation by the fifteen Southern States in securing constitutional guarantees for the protection of their property in the Union. Cobb replied, "We can make better terms out of the Union than in it." After three days a final test vote was taken, and stood one hundred and sixty-four for secession to one hundred and thirty-three for coöperation. At two o'clock on January 19, 1861, an ordinance of secession, written by Judge Nesbit, was adopted by a vote of two hundred and eight to eighty-nine.

After the vote was taken the president of the convention arose and, by virtue of his authority, declared that the State of Georgia was now a free and independent republic. The announcement was greeted by a dignified applause from the members of the convention, but when the people outside heard the result they rent the air with cheers. Cannon were fired, bells rung, and bonfires lighted.

The members of the convention met some days afterwards and signed their names to the ordinance in presence of the governor. Then the great seal of the State was attached, and Georgia formally declared herself a free and independent republic. The flag of the Union was taken down from the capitol building and the State flag of Georgia raised in its place. The news was telegraphed over the State. Meetings were held and fiery speeches made. The towns and cities were illuminated, bonfires were kindled, and torch-light processions paraded the streets. Companies of soldiers were rapidly formed everywhere. The farmer left his field, the mer-

chant his store, the lawyer his office, to talk about the crisis and prepare for war if the United States government should send an army to conquer them and to force them back into the Union. Now that the State had seceded, there was no longer any division of sentiment. Those who had opposed secession, such men as Stephens and Hill, felt that their loyalty was to their State, and, as true patriots, followed its fortunes for better or for worse.

Governor Brown next decided to seize the Federal arsenal at Augusta, over which the United States flag still floated. The garrison was at the time commanded by Captain Arnold Elzey, who had eighty soldiers. Governor Brown went to Augusta and sent an order to that officer to surrender his post to the State authorities. Captain Elzey refused, and he telegraphed to headquarters in Washington city for instructions. Secretary Holt replied that he must hold his post until forced by "violence or starvation" to surrender. Eight hundred troops had assembled in Augusta for the purpose of seizing the arsenal. Captain Elzey asked for an interview with Governor Brown, who, with his staff, rode to the arsenal, and terms of surrender were agreed upon. The United States flag was lowered and saluted with thirty-three guns, and the Georgia flag, which consisted of a white field, with a single red star in the centre, was raised over the arsenal. Captain Elzey surrendered because resistance was useless.

As soon as the news of the secession of Georgia reached Washington city, all the State's representatives in Congress withdrew, except Joshua Hill, who resigned.

[Benjamin Harvey Hill was born in Jasper County in 1822. He began to practise law in La Grange. In 1851 he was elected to the legislature, and was at once recognized as a leader of the Whig party. In 1856 he was nominated elector on the American, or Know Nothing, ticket, and by his speeches in support of Millard Filmore won a reputation as an orator of great power. In 1860 he was on the Bell and Everett electoral ticket. He was a member of the secession convention of Georgia in 1861, and made a speech against secession. He was a member of the Confederate

Senate during the entire war and was imprisoned in Fort Lafayette after the surrender. In 1873 he was elected to Congress, and in 1877 to the United States Senate. He died August 16, 1882.]

[Alexander Hamilton Stephens was born in Georgia on February 11, 1812. He went to the schools near his home at Crawfordville, and studied so hard that in a few years he was ready for college. He was too poor to pay for his tuition, and borrowed the money to carry him through the university. He began to study law, and soon became noted for his great ability. In person he was of small size, and was often called "little Aleck." He was one of the great men of Georgia; brave, brilliant, and a devoted lover of the rights of the Southern States. Like many other true Georgians, he was not in favor of leaving the Union at the time, but when the State decided to withdraw he gave the Confederacy hearty support. He died in 1883, while governor of the State.]

[Following are opinions of some leading statesmen on the right of Southern States to secede:

"If the Northern States refuse wilfully and deliberately to carry into effect that part of the Constitution which respects the restoration of fugitive slaves, and Congress provide no remedy, the South would no longer be bound to observe the compact. A bargain cannot be broken on one side and still bind the other side."—*Daniel Webster.*

"If the Cotton States shall decide that they can do better out of the Union, we insist on letting them go in peace. The right to secede may be a revolutionary one, but it exists nevertheless."—*Horace Greeley.*

"If a State should withdraw and resume her powers, I know of no remedy to prevent it."—*Chief Justice Chase.*]

QUESTIONS.

Why did the legislature call a State convention in 1860? Name some public men of Georgia who were against secession. Tell what happened at a great meeting in Atlanta. Tell about the convention of 1861. Who wrote the secession ordinance? How was the news of the result received by the people? Tell about the seizure of the arsenal at Augusta. What did Georgia's representatives in Congress do when they heard of the secession ordinance?

TOPICS.

1. Secession feeling in Georgia.
2. Seizure of Fort Pulaski.
3. Convention of 1861.
4. Seizure of Augusta arsenal.
5. Withdrawal from Congress of Georgia's representatives.

EPOCH VI.

Georgia in the Confederate States.

CHAPTER LI.

THE BEGINNING OF THE WAR.

"I am afraid of nothing on earth, or above the earth, or under the earth, except to do wrong. The path of duty I shall ever endeavor to travel, fearing no evil and dreading no consequences."—ALEXANDER H. STEPHENS.

A CONVENTION of the seceding States was held in Montgomery, Ala., in February, 1861. Howell Cobb was made president of the convention. It was resolved to form a confederacy, to be called the CONFEDERATE STATES OF AMERICA. A constitution was adopted, modelled upon that of the United States, and submitted to the States for ratification. Jefferson Davis of Mississippi was chosen President, and Alexander H. Stephens of Georgia Vice-president. Robert Toombs was made secretary of state in the first cabinet. It was hoped that this new government which the people had organized might exist in peace. The Confederate

government appointed three commissioners, called peace commissioners, of whom Martin J. Crawford of Georgia was one. These commissioners went to Washington city, but the President refused to see or receive them except as private citizens.

The convention of Georgia met again in Savannah, March, 1861, and at the meeting the Constitution of the Confederate States was adopted, and a new State Constitution framed to accord with it. Georgia thus for a second time gave up its right to be an independent republic, and entered into compact with sister States for the purpose of government and protection. Military measures were adopted to strengthen the State and prepare it to meet any attack that might be made upon it by the United States. The governor organized two regiments so as to be ready for any call for soldiers, and for the defence of the coast he ordered a number of cannon of long range and large calibre, and procured several gunboats. He also took possession of the United States mint at Dahlonega with twenty thousand dollars in gold coin. Volunteer companies were formed in nearly every county, and the men were drilled with their old shotguns and rifles.

Acting under a settled principle of international law, the seceded States had by this time taken and garrisoned all the forts and arsenals within their limits except Fort Sumter in South Carolina and Fort Pickens in Florida. Men were needed to guard against attack from these forts, and President Davis asked Governor Brown for a regiment of soldiers to go to Fort Pickens in Florida. So ardent was the feeling that over two hunded and fifty companies offered their services.

Exciting events now followed in rapid succession. In April, 1861, Fort Sumter, at Charleston, S. C., was surrendered to the Southern army after a heavy bombardment. Two days afterwards President Lincoln called for seventy-five thousand volunteers. Virginia, Tennessee, North Carolina, and Arkansas refused to furnish troops to coerce the seceding States, and now left the Union and joined the Confederate

States. This made eleven in all. Norfolk, Va., was thought to be in danger, and President Davis telegraphed to Governor Brown for troops. The governor sent a message to the volunteer companies in Macon, Griffin, and Columbus, asking if they would like to go, and in twenty-four hours a battalion started for Norfolk. It is said they were the first to arrive.

In May the Confederate capital was moved from Montgomery to Richmond, Va., and volunteers were called to defend Virginia against invasion. Every demand that came to Georgia for soldiers was promptly and eagerly responded to. A Savannah company wrote a letter pleading to be sent to Virginia, "where there is a prospect of a fight." The first battle of Manassas was fought July 21, 1861, in which the Federal army under McDowell was defeated. General Francis S. Bartow of Savannah commanded a brigade of Georgia regiments in this battle. When about to set out for Virginia with his troops, he said, "*I go to illustrate Georgia,*" and he did. At Manassas the colors of the Georgia contingent being in danger of falling from the grasp of the wounded bearer, Bartow seized them, and, leading a gallant charge, fell in the thickest of the fight.

Preparations for war were going on all over the South, but nowhere with more activity than in Georgia. Troops were organized into companies, drilled, and held in readiness. Fort Pulaski was equipped at an expense of eighty thousand dollars, and three war steamers were bought. Two brigades of State troops were organized under Brigadier-Generals George P. Harrison, Sr., and F. W. Capers. By "running the blockade" the State had secured thirteen thousand Enfield rifles and five hundred sabres, but these were not enough. Governor Brown urged the people to send their rifles and shotguns for temporary use by the State troops. In addition to the State troops, the Confederate government placed A. R. Lawton, who had been appointed brigadier-general, in command of Confederate troops, and Commodore Josiah Tatt-

nall in command of the naval forces for the defence of Georgia.

Robert Toombs left the cabinet of Mr. Davis and joined the army as a brigadier-general. Howell Cobb, Henry R. Jackson, W. H. T. Walker, Hugh W. Mercer, James Longstreet, Ambrose R. Wright, Lafayette McLaws, D. R. Jones, and William Montgomery Gardner were also appointed brigadier-generals. David E. Twiggs and W. J. Hardee, both Georgians, had been commissioned major-generals, but General Twiggs was forced by ill health to resign. General Henry R. Jackson won a brilliant victory in West Virginia in October.

In the midst of these exciting events the time came around in the fall of 1861 for an election for governor. The friends of Governor Brown urged him to run for the third term, and he agreed to do so. His opponent was Judge Eugenius A. Nisbit. Brown was reëlected. His message to the legislature of 1861 showed that Georgia had sent nearly fifty regiments into the field, and had supplied the equipments for thirty of them. An appropriation of five million dollars was made to equip State troops and defend the coast. Benjamin H. Hill and Robert Toombs were elected as Confederate State Senators. Toombs preferred to stay in the army, and Governor Brown appointed Dr. John W. Lewis to fill the vacancy.

Up to this time the great seal of the State was that which had been adopted in 1799. The secession convention of 1861 directed that there should be a new one, and the legislature of 1861 appointed a committee to make the change. The new seal was a slight modification of the seal of 1799. In the sunburst under the arch was "1861," and underneath was "1776."

Toward the close of the year the Federal warships had nearly blockaded the coasts of Georgia. Trading vessels could not bring in supplies of food and clothing, and the people were cut off from the use of Northern and European goods. Everybody therefore had to look to home enterprise. Old cards and looms were got out, and cotton was made into cloth

Brig.Gen. Henry R. Jackson.
Lieut. Gen. W. J. Hardee.
Brig. Gen. A. R. Lawton.
Maj. Gen. W. H. T. Walker.
Brig. Gen. Francis S. Bartow.
Maj. Gen. Lafayette McLaws.
Georgia Generals
Commissioned By
The Confederate States
in 1861.
Maj. Gen. Davis R. Jones.
Brig. Gen. Hugh W. Mercer.
Brig. Gen. W. Montgomery Gardner

for family use and for the army. Coffee and tea became rare. Since there was no market now for cotton, the farmers began to raise grain and meat for their own use and for feeding the troops. Salt becoming scarce, the stock on hand was soon exhausted. The salt fields of Virginia were used, then sea-water was evaporated, and finally the people had to dig up the floors of their old smoke-houses, where salt meat had been kept, and boil the dirt to get what salt it contained. This salt famine continued during the four years of the war.

[General William Joseph Hardee was born in Camden Co. in 1815. He was graduated at the United States Military Academy in 1838, and afterwards at St. Maur, France. While there he was attached to the cavalry department of the French army. He served with General Taylor in the war with Mexico. Afterwards he was commander of cadets at West Point, and wrote "Hardee's Tactics, or the United States Rifle and Light Infantry Tactics." He died in 1873.]

[Alexander R. Lawton was born in Beaufort, S. C., in 1818. He was graduated at the United States Military Academy in 1839. After serving in the army a short while, he studied law, and began to practise law in Savannah. In 1861 he became brigadier-general in the Confederate army. He was wounded at Antietam, and after his recovery served as quartermaster-general. In 1885 he was appointed United States minister to Russia, and afterwards to Austria. He died July 2, 1896.]

QUESTIONS.

Tell about the convention in Montgomery in 1861? What meeting took place in Savannah in March, 1861? What did the convention do? How many Georgia companies offered their services for the war? What Georgia general commanded a brigade at the first battle of Manassas? Tell about his heroic action in defence of the colors. Name other Georgians who held military command at this time. Who was elected governor in 1861? What did the governor's message to the legislature show with regard to military affairs? Describe the results to Georgia of the blockade of the coast.

TOPICS.

1. Georgia convention.
2. Georgia's war action.
3. Reëlection of Brown.
4. Blockade of the coast.

CHAPTER LII.

PROGRESS OF THE WAR.

"Savannah shall never be surrendered, but defended street by street and house by house, until, if taken, the victors' spoils shall be alone a heap of ashes."—*Resolution of General Assembly.*

EARLY in 1862 active operations were begun by the Federal fleet along our seacoast. Henry R. Jackson resigned from the Confederate army and was appointed major-general to command the State troops on the coast. Hugh W. Mercer was in command of the regular Confederate troops at Savannah, while General Lawton was still in command of the department.

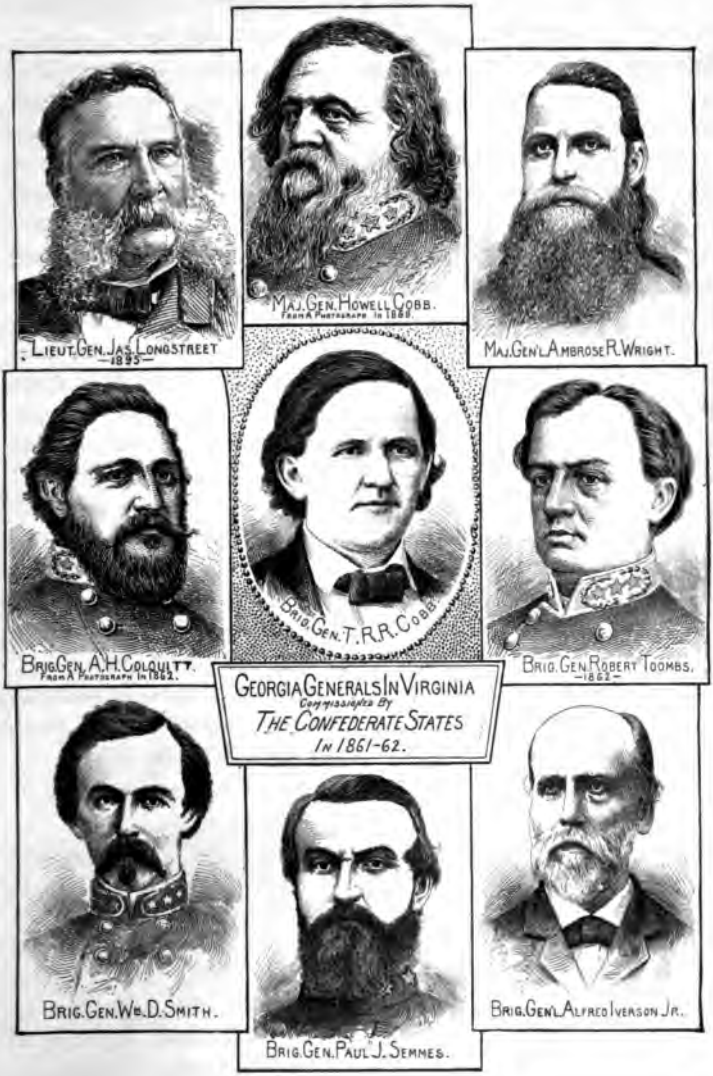
In February a number of Federal war-vessels appeared on the coast, forced their way up the Savannah River, and erected batteries on Tybee Island, in order to attack Fort Pulaski. On the 10th of April the Federal commander sent word to Colonel Charles Olmstead, the officer in command of the fort, to surrender. He replied: "I am here to defend the fort, not to surrender it." The batteries then began to fire. On the second day the flag was cut down by a cannon-ball and fell inside the fort. Two of the soldiers quickly caught it, and, leaping upon the parapet, in face of a deadly fire, carried the flag to another angle of the fort, and tied it securely to a staff fixed in a gun carriage. The fire of the batteries made an opening in the walls of the fort in two days, and the garrison was forced to surrender.

A bold attempt was made in April, 1862, by a party of Federal spies to carry off an engine and several cars on the State road. Twenty-two of these men boarded the train at a place

called Big Shanty, where a stop had been made for breakfast, and, detaching the engine and some of the cars, started for Chattanooga. Their plan was to steal the engine, tear up the track, burn bridges, and do as much damage as possible. The conductor, Captain W. A. Fuller, and the engineer, who had left the train for breakfast, saw the capture and went in pursuit on a hand-car. Soon an engine was obtained, and, after a long chase, the fugitives were overtaken at Ringold, their steam being exhausted. When they saw that they were about to be captured, they abandoned the engine and fled into the woods. But all were caught, and eight, who were volunteers, were tried and hanged as spies, the others being held as prisoners of war.

An act known as the Conscript Law was passed by the Confederate Congress in April, 1862. It required all able-bodied men between the ages of eighteen and thirty-five to enter the army. Governor Brown opposed the Conscript Law, holding that it was not constitutional or necessary, and he and President Davis had a long correspondence on the subject. As soon as the governor was notified of the passing of the act, he turned the State troops over to the Confederate army. Those regiments were rapidly transferred to the armies of Lee and Bragg, and they served in all the great battles in Virginia and the West. General A. R. Lawton returned to Virginia, and was placed in command of one of the Georgia brigades.

The legislature of 1862 had many grave problems before it. Nearly three-fourths of the able-bodied male population of Georgia were fighting in other States for the Confederate cause, and were in need of food and clothing. The seacoast of the State was threatened by the enemy, and distress and want were everywhere among the people. To encourage the raising of grain and meat, a law was made forbidding the raising of cotton beyond three acres to each field hand. The distillation of corn into whiskey was forbidden. The governor was requested to buy salt for sale to the people at cost price.


LIEUT. GEN. JAS. LONGSTREET
—1895—
MAJ. GEN. HOWELL COBB.
From a Photograph in 1862.
MAJ. GEN'L AMBROSE R. WRIGHT.
BRIG. GEN. A. H. COLQUITT.
From a Photograph in 1862.
BRIG. GEN. T. R. R. COBB.
BRIG. GEN. ROBERT TOOMBS.
—1862—
GEORGIA GENERALS IN VIRGINIA
Compassigned By
THE CONFEDERATE STATES
IN 1861-62.
BRIG. GEN. WM. D. SMITH.
BRIG. GEN. PAUL J. SEMMES.
BRIG. GEN'L ALFRED IVERSON JR.

It was ordered that clothing should be bought for the troops, and the families of dead and disabled soldiers were provided for. Altogether six million dollars were appropriated. Herschel V. Johnson was elected to the Confederate Senate.

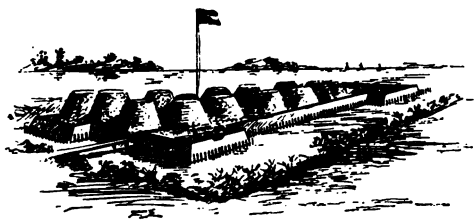
Many Georgia brigades were present in Virginia and bore their part in the great battles of the year 1862. They were commanded by Generals G. T. Anderson (known as "Tige" Anderson), George Doles, Paul J. Semmes, W. D. Smith, Ambrose R. Wright, Edward L. Thomas, A. H. Colquitt, Howell Cobb, T. R. R. Cobb, A. R. Lawton, Robert Toombs, and Alfred Iverson, Jr. McLaws and David R. Jones were major-generals and Longstreet a lieutenant-general in Lee's army. Hardee was a lieutenant-general in the West.

At Fredericksburg, Cobb's brigade strongly posted on the hillside, bore the brunt of the battle, winning undying fame. Six times in succession the Federal troops, massed on their front, gallantly charged up the hill, only to be mowed down and driven back by the deadly fire. The repulse was complete, but at the end of the fourth charge General T. R. R. Cobb, the heroic commander of the Georgians, fell mortally wounded. His death cast a gloom over the whole army.

On New Year's day, 1863, President Lincoln issued the "Emancipation Proclamation," but the negroes did not leave their former masters. They were content to remain on the farms, to protect the women and children, and to take care of their old masters' homes.

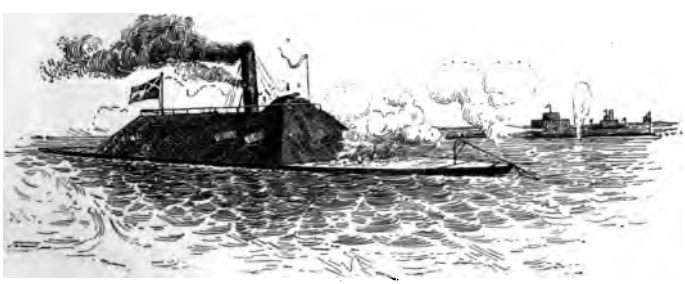
Fort McAllister, at the mouth of the Ogeechee River, was attacked in March, 1863, by a fleet of seven Federal gunboats. It was a simple earthwork with sand parapets, but it was defended by brave men. The bombardment was kept up for eight hours, and the guns of the fort replied so well that the fleet was driven away, crippled and defeated. In recognition of this gallant fight, the garrison was authorized by special order to inscribe on the flag of the fort the date, "March 3, 1863."

Colonel Streight, with a band of eighteen hundred Federal cavalry, made a raid into Georgia in April, 1863. General Forrest pursued him with only six hundred Confederate troops, and overtook him near the city of Rome, where a battle took place. Forrest succeeded by a stratagem in deceiving the Federals as to his real strength. While the fight was in progress he sent an officer under a flag of truce to demand an immediate surrender. Streight wanted time to consider, but Forrest would not wait, and he made a show of despatching orders to unseen batteries and soldiers to prepare for battle. "Within ten minutes," said he, "the signal gun shall be fired and the truce will end." This so alarmed the Federal officer that he surrendered at once, though he had three times as many men as Forrest.



FORT M'ALLISTER.

June 23d the Confederate ram *Atlanta* was captured by two monitors in Warsaw Sound.



FIGHT BETWEEN RAM "ATLANTA" AND MONITOR.

In July, 1863, the governor called for eight thousand State troops as a home guard, and eighteen thousand were ready in answer to the call. This body was organized, under Major-

General Howell Cobb, for home protection. As there were no guns for some of the soldiers, Governor Brown proposed to supply each man with a staff eight or ten feet long, having a sharp steel head like a lance. They were called *Joe Brown's pikes.* They were intended for hand-to-hand fighting, but the soldiers found them of little use.

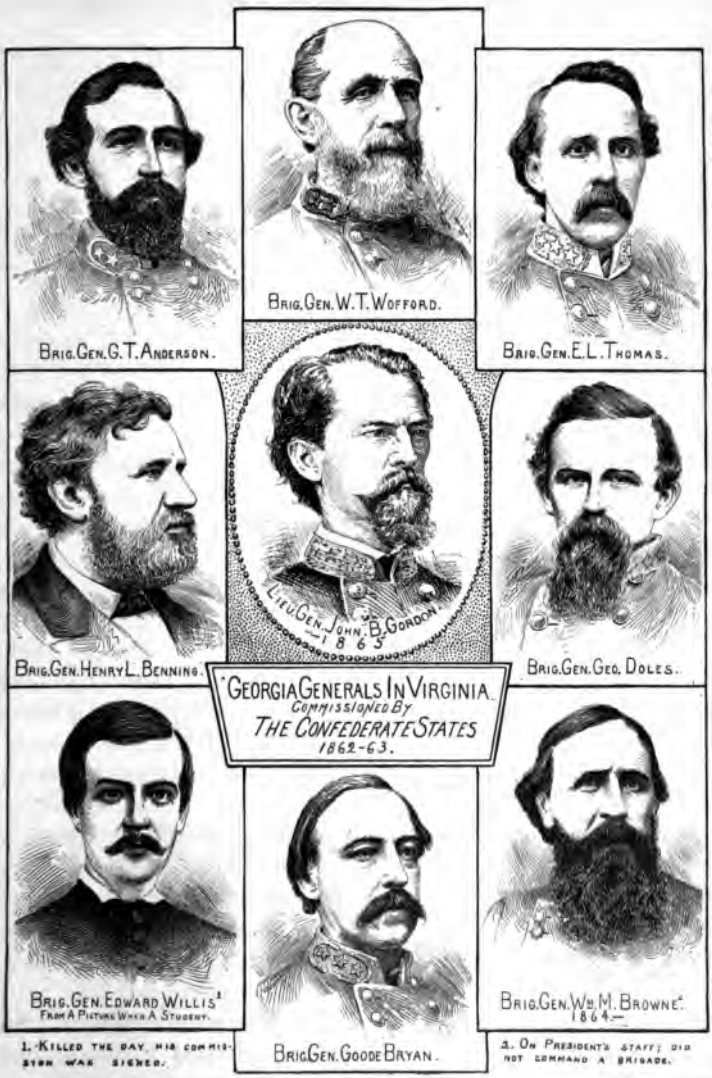
The year 1863 had been disastrous to the Southern armies both in the West and in Virginia. In Virginia, John B. Gordon, Henry L. Benning, William T. Wofford, and Goode Bryan had been promoted to command Georgia brigades, and Georgia regiments followed Lee through all the battles of that year. At Gettysburg, Brigadier-General Paul J. Semmes was mortally wounded. In the West, where Generals W. H. T. Walker and Alfred Cumming commanded Georgia brigades, Vicksburg and Port Hudson had fallen, the Mississippi River had been opened, and the Confederacy cut in two. The Federal forces were then concentrated at Chattanooga. The battle of Chickamauga was our only important victory of the year. In that battle John K. Jackson, M. A. Stovall, C. C. Wilson, and Henry L. Benning commanded brigades of Georgia troops. Joseph Wheeler and W. H. T. Walker were there as major-generals commanding divisions. General James Deshler, a gallant Georgian, and Colonel Peyton H. Colquitt, were killed.

QUESTIONS.

What operations were begun in 1862? What of the attack on Fort Pulaski? Describe the attempt to steal an engine. What of the Conscript Law? What problems did the legislature of 1862 have to face? What was the war fund? What of Fredericksburg? What was the Emancipation Proclamation? What about Fort McAllister? Tell about Forrest's capture of the Federal cavalry. What of State troops? What was the general result of the year 1863?

TOPICS.

1. Fort Pulaski.
2. Stealing an engine.
3. Conscript Law.
4. War measures.
5. Fort McAllister.
6. Streight's raid.


Brig. Gen. W. T. Wofford.
Brig. Gen. G. T. Anderson.
Brig. Gen. E. L. Thomas.
Lieu. Gen. John B. Gordon
1863
Brig. Gen. Henry L. Benning.
Brig. Gen. Geo. Doles.
Georgia Generals In Virginia
Commissioned By
The Confederate States
1862-63.
Brig. Gen. Edward Willis[1]
From A Picture When A Student.
Brig. Gen. Goode Bryan.
Brig. Gen. Wm. M. Browne[2]
1864.
1. Killed the day his commission was signed.
2. On President's staff; did not command a Brigade.

CHAPTER LIII.

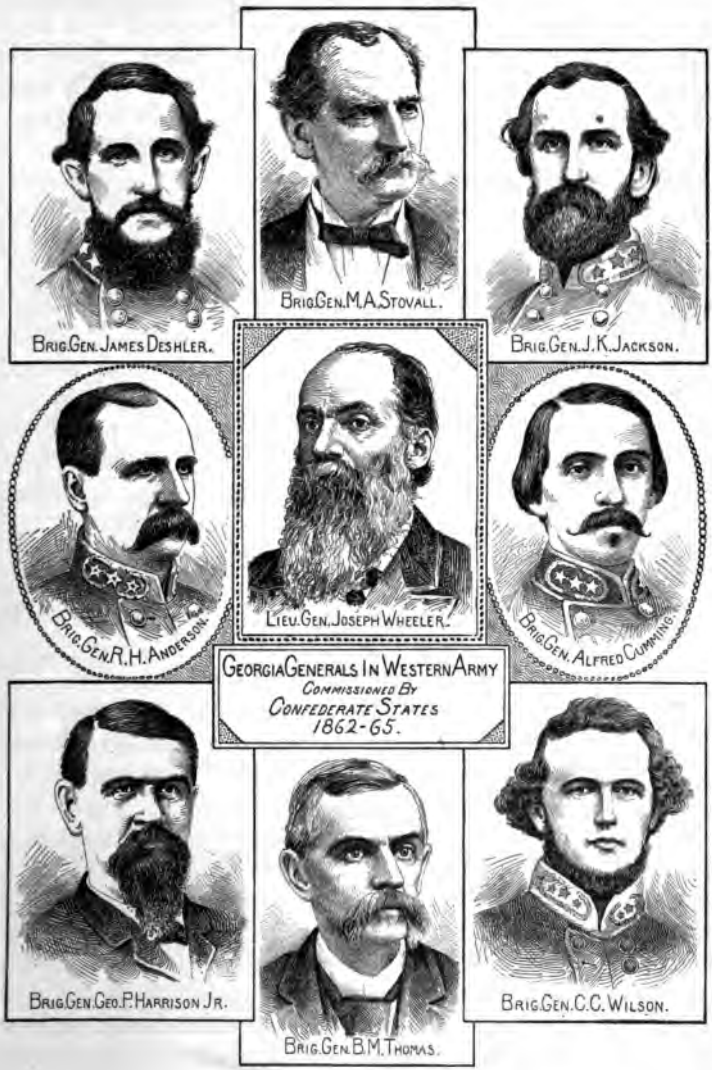
FROM CHATTANOOGA TO ATLANTA.

"I have staked life, liberty, and property, and the liberties of my posterity, upon the result. My destiny is linked with my country."—JOSEPH E. BROWN.

IN March, 1864, General Ulysses S. Grant was put in command of all the Federal forces, and at once planned two campaigns: one under himself against Richmond, Va., and the other under General W. T. Sherman against Atlanta. Opposed to Grant in Virginia was a Confederate army under General Robert E. Lee. Another Confederate army, under General Joseph E. Johnston, was at Dalton, Ga., to defend our State against invasion. Grant, seated on a log by the roadside in Virginia, wrote a despatch to Sherman that he was going to Richmond, and ordered Sherman to start for Atlanta.

The Federal army crossed into Georgia on May 4, 1864, with nearly one hundred thousand men and over two hundred and fifty cannon. General Johnston had brought his army up to its best condition, but he had hardly fifty thousand men.

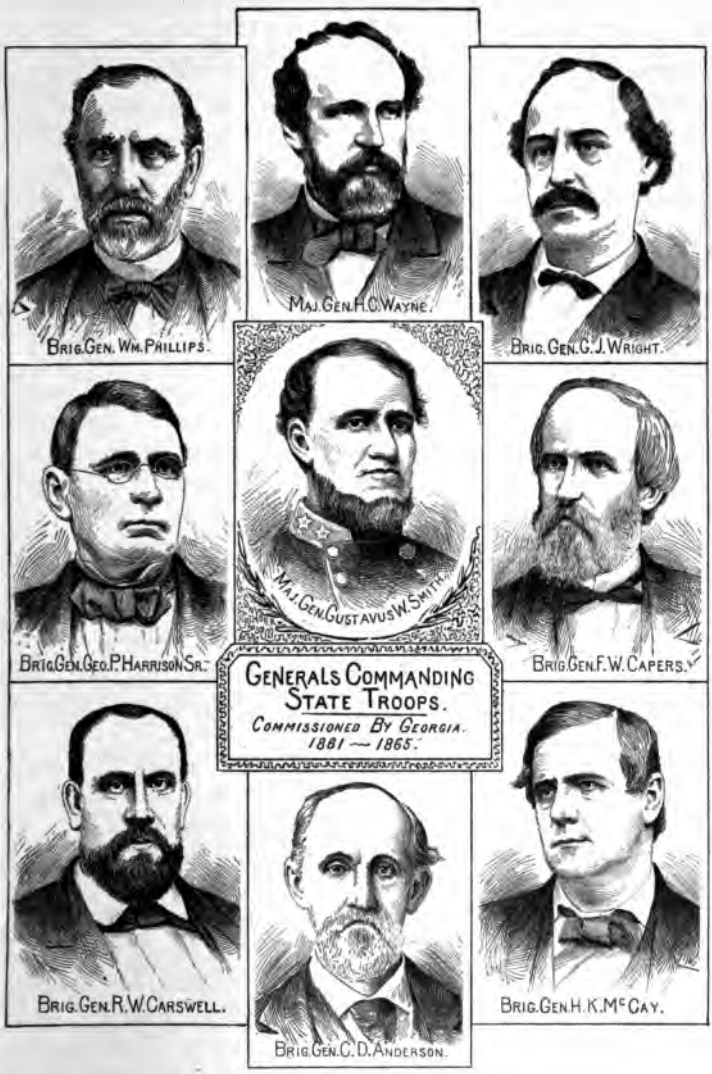
Sherman with a part of his army, exceeding in numbers all of Johnston's force, made an attack on him at Dalton, and, at the same time, sent a large body of troops to Resaca, eighteen miles south, to destroy the railroad and cut the Confederates off from their supplies of food. Johnston could not spare enough men to meet the force, and was compelled to retreat to Resaca. Here Sherman attacked him again, but lost five thousand men in the battles which continued two days, May 14th and 15th. Finding that he could not crush Johnston, he again sent troops round to the south toward Calhoun, and forced Johnston to retreat to Cassville, leaving to the Federals


Brig. Gen. James Deshler.
Brig. Gen. M. A. Stovall.
Brig. Gen. J. K. Jackson.
Brig. Gen. R. H. Anderson.
Lieu. Gen. Joseph Wheeler.
Brig. Gen. Alfred Cumming.
Georgia Generals In Western Army
Commissioned By
Confederate States
1862-65.
Brig. Gen. Geo. P. Harrison Jr.
Brig. Gen. B. M. Thomas.
Brig. Gen. C. C. Wilson.

the city of Rome, which was attacked and captured by a division of their army commanded by General Thomas. Sherman again tried to cut off Johnston's supplies by a force sent towards Dallas, but the Confederates met them at New Hope Church, and for a week there was fighting every day.

Sherman was forced to return to the railroad, and early in June the two armies were again face to face, the Federals at Acworth, the Confederates at Marietta. Johnston occupied a strong position among the mountains, and Sherman tried to break the line through by assault. The fighting here continued for twenty-three days, from June 9th to July 3d, in which Johnston drove back the Federal forces every time they were hurled against him. The Confederate general, Leonidas Polk, was killed on the summit of Pine Mountain while looking over the lines. During part of the time the Confederate line extended across Kenesaw Mountain, from which the battle fought there took its name. Satisfied that he could not win a victory by fighting, Sherman returned to his old plan and sent General James B. McPherson to flank Johnston by crossing the Chattahoochee River east of Marietta. But Johnston was not to be caught. Drawing his forces out of danger, he crossed the river ahead of his enemy, leaving nothing behind. By this time he had been fighting for seventy-four days, and had lost nearly ten thousand men, while Sherman had lost twenty-five thousand, a force equal to half of Johnston's army. Johnston had lost ground, but the army was in good spirits and ready at any time to advance or fight whenever Johnston said so.

AN IMPROMPTU FORTIFICATION.


Brig. Gen. Wm. Phillips.
Maj. Gen. H. C. Wayne.
Brig. Gen. C. J. Wright.
Maj. Gen. Gustavus W. Smith.
Brig. Gen. Geo. P. Harrison Sr.
Brig. Gen. F. W. Capers.
Generals Commanding State Troops.
Commissioned By Georgia.
1861 — 1865.
Brig. Gen. R. W. Carswell.
Brig. Gen. C. D. Anderson.
Brig. Gen. H. K. McCay.

On July 17, 1864, General Johnston was relieved of the command by order of President Davis, and General Hood was placed in charge. It is said that when Sherman heard of the change he remarked: "Before this the fighting has been as Johnston pleased, but hereafter it shall be as I please." Johnston was a cautious and prudent commander. His army being only half that of Sherman, his policy was to avoid battle, but to keep always in front of his enemy, so as, if possible, to prevent his advance. He retreated only when the want of men compelled him to do so in order to avoid being flanked, surrounded, and cut off from supplies for his army.

Atlanta was the next important point of attack and resistance. Preparations for the defence of the city had been made as rapidly as possible. Over ten thousand State troops had been placed in the trenches, cannon had been bought, and supplies made ready. Major-General Gustavus J. Smith commanded the State militia, and General Toombs, who had resigned his command in Virginia, was on his staff. The four brigades of State militia were commanded by Brigadier-Generals R. W. Carswell, P. J. Phillips, C. D. Anderson, and H. K. McCay. Besides these, there were many Georgia regiments in the Confederate army through the entire campaign. M. A. Stovall, Hugh W. Mercer, Alfred Iverson, Jr., John K. Jackson, Alfred Cumming, C. C. Wilson, Robert H. Anderson, Henry R. Jackson, and B. M. Thomas, all Georgians, were there as brigadier-generals. Major-General W. H. T. Walker commanded a division, and Lieutenant-General Wheeler commanded the cavalry corps.

General Hood's plan was to assume the offensive and try to force Sherman back, and on July 20, 1864, two days after he had taken command, the battles around Atlanta commenced. Hood attacked Sherman, and a bloody fight followed, July 20th, lasting five hours, in which the Confederates lost heavily. Hood again attacked Sherman July 22d, and the battle raged *till night*. Both sides fought fiercely, but Sherman stood his

ground. General McPherson, of the Federal army, was killed while riding near the skirmish line of the Confederates. They called him to surrender, but he raised his hand as if to salute, wheeled his horse, and galloped off. A volley of musketry brought him down. Major-General W. H. T. Walker, a gallant Georgian, was killed in the same battle. He was leading an attack upon the Federals up a steep ascent, when he was shot in the thigh and fell. He was caught by a brother officer, who, in leaning over to support him, received a ball in his head. General Mercer, commanding Walker's division, was wounded.

During the struggle around Atlanta, a force of Federal cavalry was surrounded by the Confederate general Iverson, and one thousand of them were captured, including the Federal general Stoneman. They had been sent to tear up the railroads leading to Macon. Stoneman had attacked Macon, but was driven back by the militia under Governor Brown and General Howell Cobb. Hood sent Wheeler's cavalry around Sherman's army to the rear, to burn bridges and destroy railroads, so as to cut off the enemy's communication with their sources of supply.

From the earthworks outside Atlanta the Federal guns constantly threw shot and shell into all parts of the city. The bursting of the bombs, the striking of the cannon-balls, the tearing up of the houses and streets filled the people with terror. They fled to cellars and railroad cuts for safety. Sherman began to move his army around to the south side of Atlanta. Hood followed him, and a week afterwards assaulted him as fiercely as ever at Ezra Church, near Atlanta, but met with a repulse. On August 31st General Sherman sent a large body of men to cut the Macon Railroad at Jonesboro. The Confederates at that place, under Hardee, could not drive them back. The Georgia Railroad and the West Point Railroad were both held by Sherman, and there was nothing now left for Hood but to march out of Atlanta, which he did, after setting fire to the military stores so that the Federals might not

get possession of them. When Hood left Atlanta he started towards Tennessee, thinking to force Sherman to leave Georgia to protect his base of supplies. But Sherman sent General Thomas to follow Hood, while he himself began to prepare his army for a further advance into Georgia.

After leaving Atlanta, Hood sent a division to capture Allatoona, which was strongly fortified. Sherman signalled General Corse at Allatoona to hold the fort as reinforcements were coming. The Confederates made a gallant assault, but withdrew when reinforcements arrived. Sherman's message suggested the popular religious song, "Hold the fort."

When Sherman entered Atlanta he ordered all the inhabitants to leave at once. He had their baggage sent to the railroad, and over sixteen hundred people were forced to abandon their homes. Before his departure he set fire to the city, and only four hundred houses out of five thousand were left. He said that Georgia should "feel the weight of war."

QUESTIONS.

What campaigns were planned for 1864? With what force did the Federal army cross into Georgia? What was the number of Johnston's army? What about the stand at Marietta? Who was killed on Pine Mountain? Up to this time how many men had been lost on each side? Who took Johnston's place in July, 1864? What did Sherman say when he heard it? What had been Johnston's policy? What about the defence of Atlanta? What was General Hood's plan? Tell of the death of McPherson and Walker. What Federal force and general were captured? What about the surrender of Atlanta? How did Sherman treat the inhabitants and the city?

TOPICS.

1. Sherman's plan.
2. Johnston's retreat.
3. Hood placed in command
4. Battles around Atlanta.

CHAPTER LIV.

THE MARCH TO THE SEA.

"We are not only fighting hostile armies, but a hostile people, and must make old and young, rich and poor, feel the hard hand of war."—GENERAL WILLIAM TECUMSEH SHERMAN.

WITH sixty thousand men Sherman started on November 15, 1864, from Atlanta on his famous march to the sea. His army spread out so as to cover a front of forty miles, and as they marched they lived on the country and destroyed property of every kind. Villages, farm-houses, gin-houses, cotton crops were burned; horses were taken away; cows, hogs, and sheep were killed for the use of the soldiers or left dead in the fields. Thieves who followed the army, or belonged to its lowest elements, robbed houses not only of provisions, but of silverware and other valuables of all sorts that could be carried away. A track of desolation three hundred miles long was made across the face of Georgia, and in the wake of the army women and children were in many cases glad to eat the corn left by the soldiers' horses. In his report Sherman said: "I estimate the damage done to the State of Georgia at one hundred million dollars."

At Milledgeville the legislature was in session, but had adjourned for dinner when the news came that Sherman was approaching. The legislators did not return to the Capitol, and everybody made haste to leave the city. Outgoing trains were loaded with passengers, carriages and wagons were hired or bought at fabulous prices, and every other means of escape was resorted to.

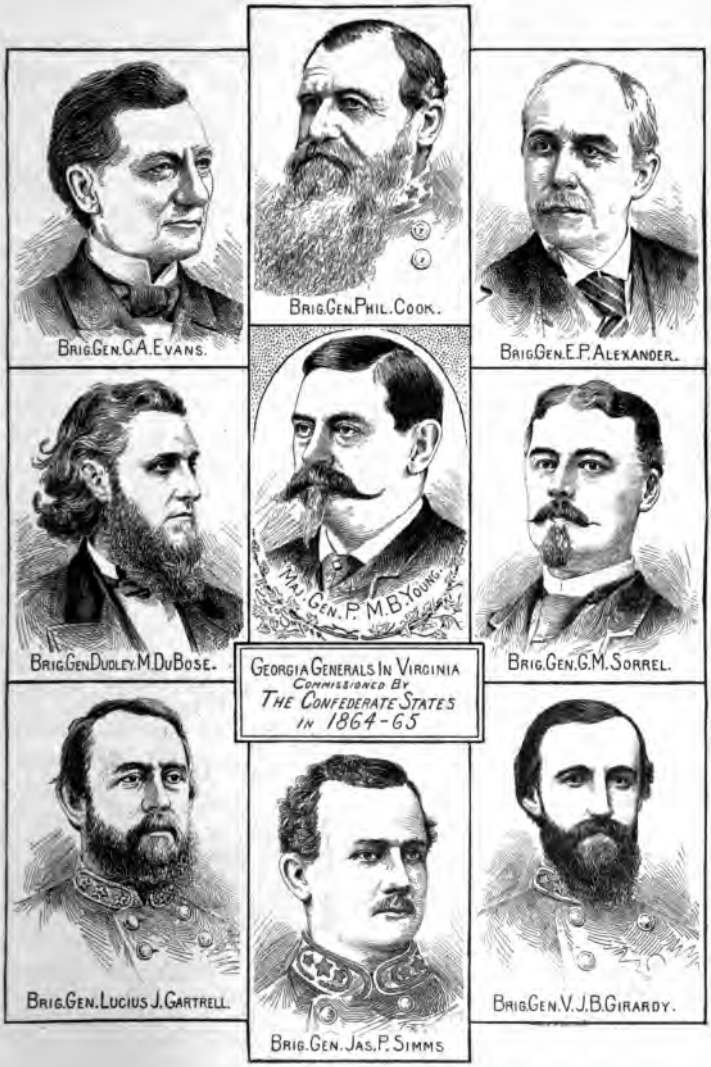
Governor Brown gave orders to have the records and State

papers and property removed. But men to do the work could not be found until the governor called out convicts from the penitentiary and offered them pardon if they would enlist in the service. This they agreed to do, and by their aid the State property was moved to the trains and shipped to places of safety. Finally Governor Brown, his family and the officers, left the city just as the Federal cavalry entered it.

Leaving Milledgeville, Sherman marched through the State and reached the coast in December. He captured Fort McAllister December 13th, and then invested Savannah. General William Hardee, with only ten thousand troops, could not resist Sherman's army of sixty thousand, so he quietly left the city during the night of December 20th, crossing the river on pontoon bridges, and Sherman entered Savannah December 21, 1864. He seized a large quantity of military stores and thousands of bales of cotton, and was disappointed to find that General Hardee and his men had escaped capture and had carried off forty-nine pieces of artillery. He sent a telegram to President Lincoln, saying: "I beg to present you as a Christmas gift the city of Savannah, with one hundred and fifty heavy guns and plenty of ammunition, also about twenty-five thousand bales of cotton."

About the same time Hood's army in Tennessee was badly defeated, broken into fragments, and driven back to Georgia. These were fatal blows to the cause of the Confederate States, and from this time the struggle was hopeless. Sherman stayed in Savannah a month, then marched into South Carolina, where he was again opposed by General Joseph E. Johnston, who had been placed in command of the fragments of Hood's army. But Johnston's efforts were powerless to stay the fate of the Southern arms.

While Sherman was carrying out this programme so successfully in Georgia, General Grant had failed in Virginia. He had attacked Lee in the Wilderness, and after four days' fighting had given it up and attempted to turn his flank, but


BRIG. GEN. C. A. EVANS.
BRIG. GEN. PHIL. COOK.
BRIG. GEN. E. P. ALEXANDER.
BRIG. GEN. DUDLEY M. DUBOSE.
MAJ. GEN. P. M. B. YOUNG.
BRIG. GEN. G. M. SORREL.
GEORGIA GENERALS IN VIRGINIA
COMMISSIONED BY
THE CONFEDERATE STATES
IN 1864-65
BRIG. GEN. LUCIUS J. GARTRELL.
BRIG. GEN. JAS. P. SIMMS
BRIG. GEN. V. J. B. GIRARDY.

when he reached Spottsylvania Court House, twenty-four hours later, Lee's army was there waiting for him. The fighting that occurred here was the most desperate of the war, and the Georgia soldiers bore their part and won the admiration of the whole army. Grant moved southeast to North Anna River and Cold Harbor. At both places Lee's army again confronted him and repelled his attacks. Brigadier-general George Doles lost his life in this campaign. Grant then crossed to the south side of the James River and laid siege to Petersburg. In the spring of 1865 the movements against Petersburg and Richmond were pressed and the lines gradually closed in. Georgia brigades were in every battle. In 1864 and 1865 E. P. Alexander, Clement A. Evans, Phil. Cook, V. J. B. Girardey, L. J. Gartrell, G. M. Sorrel, Dudley M. DuBose, and James P. Simms were commissioned brigadier-generals. P. M. B. Young and Ambrose R. Wright were major-generals, John B. Gordon commanded a corps, and General Evans commanded Gordon's division. General Girardey was killed before his commission was made out.

Early in April Lee's lines were broken, Richmond was abandoned, and a few days later the remnant of his army surrendered to General Grant at Appomattox Court House. Johnston surrendered to Sherman April 26th at Bentonville, N. C., and the great war was over.

Meanwhile, on the 14th of April, while the North was rejoicing over the successful termination of the war, President Lincoln was assassinated in Washington city. The people of Georgia were horrified at this act, for, notwithstanding the bitterness of the war, they recognized Mr. Lincoln's high character and true patriotism. Vice-President Andrew Johnson, of Tennessee, thus became President of the United States.

The beautiful custom of placing flowers on the graves of soldiers was suggested by Mrs. Mary Williams, of Columbus, Ga. Her husband, who had been in the war, was buried in the *cemetery* of that place, and she and her little daughter would

often come and lay flowers on his grave. One day the child asked her mother to allow her to put flowers on other soldiers' graves. Mrs. Williams then thought how good it would be if once a year the ladies throughout the South would devote a day to decorating with flowers the graves of the Confederate dead. She wrote a letter to the *Columbus Times*, in which she said:

"We cannot raise monumental shafts and inscribe thereon their many deeds of heroism, but we can keep alive the memory of the debt we owe them by dedicating at least one day in each year to embellishing their humble graves with flowers."

The suggestion met with favor, and was generally adopted throughout the South. In Georgia the 26th day of April is observed as Memorial Day.

Georgia had sent to the field about one hundred and twenty thousand soldiers, many of whom were boys sixteen or seventeen years of age and men from fifty to sixty. General Grant said that the Confederacy had "robbed the cradle and the grave" to fill its armies. By the war the State lost three-fourths of its wealth, including all slaves, which were valued at nearly three hundred millions of dollars. The lands fell to one-half their value. One-fourth of all the railroad tracks had been destroyed, and a path of ruin and desolation forty miles wide had been cut through the State from Chattanooga to Savannah. The State debt had grown to over twenty million dollars. There were thousands of poor people—widows and orphans, broken down soldiers and their families—in the State, besides large numbers who could find no work, and were daily asking for bread. Medicine and all kinds of food and clothing were very scarce. The Confederate paper money was worth but little, forty-nine Confederate dollars being of no more value than one gold dollar. A hat cost three hundred dollars in Confederate money, a horse several thousands, a barrel of flour sold for four hundred dollars,

and a pair of boots for eight hundred dollars, while the pay of a soldier was only eleven dollars a month, hardly enough to buy a loaf of bread.

[Fort McAllister stood about sixteen miles below Savannah, on the Ogeechee River. When Sherman appeared before the fort in December, 1864, it was garrisoned by only one hundred and fifty men, under Major George W. Anderson. The attacking force consisted of seventeen regiments, which, on the morning of December 13th, was ordered to capture the fort. This was done after a hot fight. The assaulting column numbered over three thousand men, and in the engagement lost one hundred and thirty-four men and officers, while the defenders lost only forty-eight. The greatest compliment that could be paid the brave garrison was made by the Federal general, who said in his report: "We fought the garrison through the fort to the bomb proofs, from which they still fought, and only succumbed as each man was individually overpowered."]

QUESTIONS.

What was the strength of Sherman's army when he set out from Atlanta, November, 1864? Describe the march to the sea. What effect had the news of Sherman's approach on the people of Milledgeville? How were the State papers and other property secured? What fort did Sherman capture before reaching Savannah? How many soldiers did General Hardee have? What did Hardee do? What did Sherman seize? What telegram did he send to President Lincoln? What became of Hood's army in Tennessee? Tell of the surrender of Lee and Johnston. What unfortunate event occurred in April, 1865? Tell how Memorial Day originated. How many soldiers did Georgia send to the field during the war? What was the condition of things in the State at the end of the war? What about the Confederate money?

TOPICS.

The March to the Sea.

1. Devastation.
2. Sherman at Milledgeville.
3. Capture of Savannah.

End of the Struggle.

4. In Tennessee.
5. In Virginia.
6. In the Carolinas.

Memorial Day—Condition of Georgia.

CHAPTER LV.

THE FEDERAL ARMY ASSUMES CONTROL OF GEORGIA.

"Liberty in its last analysis is but the sweat of the poor and the blood of the brave."
—ROBERT TOOMBS.

AFTER President Davis left Richmond he started south with a number of friends. In May, 1865, the party reached Washington, Ga., the home of Robert Toombs. Here some members of the Confederate cabinet assembled, with A. R. Lawton, then quartermaster-general; I. M. St. John, commissary-general; Major Moses, and others, in a last conference, and then broke up forever. Thus the Confederate government dissolved in the town of Washington upon the soil of Georgia.

President Davis retreated into the interior of Georgia, travelling in a wagon about thirty miles a day. For five days he proceeded without interruption until the morning of the 10th of May, when a band of Federal cavalry who had started in pursuit overtook him in Irwin County, Georgia. He was then arrested and conveyed to Fortress Monroe, and held in prison without trial for nearly two years.

While President Davis and his cabinet were in Washington, Ga., a train of wagons arrived, carrying a large amount of gold and silver belonging to the Confederate government. This was known as the "Specie Train," and was guarded with great care by an armed force. Rolls of the troops were made out, and twenty-six dollars and twenty-five cents each were paid to as many as could be reached. Forty thousand dollars were set aside to pay for rations for other soldiers returning from the war. The orders about this specie and its distribution were the last orders of the Confederate government.

Soon after the members of the cabinet had left Washington, and while Robert Toombs was still at his home, a man on horseback galloped up to his residence, threw a bag over the fence, and rode off rapidly. The bag was found to contain five thousand dollars in gold coin, but there was no letter or message with it, and no one could tell who left it. General Toombs ordered it to be paid out for the benefit of the Confederate soldiers who were returning from the war.

A day or two afterwards a body of Federal soldiers called at General Toombs's house and rang the bell. The general was in his private office, and looking through the window, he saw the soldiers as they approached. Knowing their purpose was to arrest him, he hastened out by the back door, saddled a horse and rode off quickly. Mrs. Toombs answered the knocking at the door. The soldiers said they wanted the general. Mrs. Toombs invited them in, and detained them for nearly half an hour on various pretexts. When they became suspicious she showed them over the house, and assisted them in looking for the general, but by this time he was beyond their reach. After wandering all over Georgia and through Alabama to New Orleans, he went to England, where he remained for several years.

Governor Brown at once issued a call for the legislature to meet. General Wilson, commander of the Federal troops at

Macon, notified him to surrender the State militia, who had been under arms. This Governor Brown did, and received his parole. He returned to Milledgeville, but the next night the mansion was surrounded by Federal soldiers, who had come to arrest him. "I have my parole," said Governor Brown. "But I have instructions to take that away from you," replied the officer in command. The governor was carried to Washington city and put in prison. Here he complained to the President of his arrest while holding a parole, and at the end of a week he was set at liberty. Alexander Stephens was arrested at his home in Crawfordville and carried a prisoner to a fort at Boston, where he was kept for five months, when he was released on parole. Howell Cobb and B. H. Hill were also arrested and imprisoned.

Governor Brown returned to Georgia, but the State was under control of the Federal army. A period of military rule had begun, and a Federal officer was in charge of every city. The legislature did not meet because General Wilson, the Federal commander, had issued an order, saying: "Neither the legislature nor any other political body will be permitted to assemble under the rebel State authorities." Governor Brown then resigned his office. He had been re-elected in 1859 and in 1861, and again in 1863, so that he had the honor of four terms as governor. He now, however, resigned the office, and he issued an address to the people, advising them to make the best of the situation, to agree to the abolition of slavery, to support the administration at Washington, and to aid in the reconstruction of the State, so that it might be restored to the Union as soon as possible.

The Federal generals in control of the State did many acts of kindness to the people. Rations were issued to returning soldiers and to those who were without means of support. Supplies and horses surrendered by the Confederate authorities were distributed among the needy, and a number of horses and mules belonging to the United States govern-

ment, that had given out during Sherman's campaign and had been left in north Georgia, were permitted to remain in the hands of the people of that section who had suffered so severely. During the entire spring and summer of 1864 this section of the State had been occupied by Federal or Confederate armies, so that no crops had been raised. General Wofford was especially active in securing relief for the people.

The great State of Georgia continued without a governor and under the sole control of the Federal army for about two months. In June, 1865, Andrew Johnson, President of the United States, appointed James Johnson, of Columbus, provisional governor of the State of Georgia. The new governor went to Milledgeville and entered upon his duties July 22, 1865. He issued a proclamation calling for a State convention of delegates elected by the people to meet at Milledgeville in October. Every man who had fought on the Confederate side was required to take an oath known as the "Amnesty Oath," in which he swore allegiance to the government of the United States. Those who took this amnesty oath and all who had not taken any part in the war were permitted to vote. The men who had held office before the war and had afterward served in the Confederate army were not permitted to take any part in the election, but the great body of white citizens voted. This excluded many leaders of Georgia.

JAMES JOHNSON, PROVISIONAL GOVERNOR.

The convention which assembled at Milledgeville was a very able and conservative body, and four important things were done: (1) The ordinance of secession adopted by the convention of 1861 was repealed; (2) slavery was abolished in Georgia; (3) a new State constitution was adopted; (4) the debt incurred by the State of Georgia in prosecuting the

war was repudiated; that is, the convention declared that it should not be paid. The convention was very unwilling to repudiate the war debt, and Governor Johnson telegraphed this fact to the President of the United States. The President replied that unless the war debt was repudiated, Georgia would not be readmitted to the Union. There was no alternative left the convention but to do as the President wished.

The convention ordered an election for governor, State officers, members of the legislature, and representatives to the lower house of Congress, to be held in November, 1865. Charles J. Jenkins, of Richmond County, was elected without opposition, but Governor Johnson continued for the present to act as provisional governor.

[James Johnson was born in North Carolina in 1811. He studied law, was admitted to the bar, and began to practise in Columbus, Ga. He was a representative in Congress from 1851 to 1853 and was appointed provisional governor in 1865. He was collector of customs at Savannah in 1866–69 and judge of the Superior Court of Georgia in 1870.]

QUESTIONS.

Describe the last meeting of the Confederate cabinet. Where and when was Jefferson Davis arrested? What were the last orders of the Confederate government? Relate the story of Robert Toombs and the bag of gold coin. Tell how General Toombs escaped. Tell how Governor Brown was arrested. How long was he held prisoner? What did Governor Brown find on his return to Georgia? What did he do? What order did General Wilson, the Federal commander, issue? How long did Georgia remain without a governor? What was the "Amnesty Oath"? What did the Milledgeville convention do? Who was elected governor in November, 1865?

TOPICS.

1. The cabinet disbands.
2. Davis arrested.
3. Robert Toombs escapes.
4. Governor Brown arrested.
5. Johnson provisional governor.
6. Milledgeville Convention.

EPOCH VII.

Reconstruction.

CHAPTER LVI.

GEORGIA EXCLUDED FROM THE UNION.

"A tempest of unsurpassed fury has swept over the land. The elements do not subside into their normal quiet instantaneously with the lull of the wind, the sleep of the lightning, and the hush of the thunder."—GOVERNOR JENKINS.

CHARLES J. JENKINS.

THE legislature met at Milledgeville on the 4th of December, 1865, and ratified the Thirteenth Amendment to the Constitution of the United States. The convention had already abolished slavery in Georgia. The amendment prohibited slavery in the United States. Charles J. Jenkins was inaugurated governor on the 14th of December, President Johnson having telegraphed his consent. Early in January, Alexander H. Stephens and Herschel V. Johnson were elected United States senators. Congress, however, refused to permit these senators, and the representatives who had been elected in November, to take their seats. This act showed a difference of opinion between the President and Congress.

President Johnson believed that a State could not secede and that Georgia had in fact never been out of the Union, the ordinance of secession, in his opinion, having been absolutely null and void. He believed that those persons who had re-

sisted the authority of the general government had forfeited all their rights as citizens, but that those who had not resisted, and those who had been pardoned by him for resisting, together made up a State—a body politic—which was in the Union with all the rights and privileges of any other State.

The Republican leaders in Congress, however, had changed their views as to the Southern States. These leaders now claimed that Georgia was admitted to be out of the Union when the Confederates were recognized as belligerents, and that now Georgia was territory conquered by the army of the United States and subject to the control of Congress just as any other territory. They denied that the President had any power to reorganize the State governments, and took steps to carry out a plan of their own for "reconstructing" these "territories" into States.

This difference of opinion led to a struggle between the President and Congress. During the long contest, Georgia occupied a peculiar position, being recognized by the President as a State, under the control of its governor and its own officers, but by Congress as a territory under the control of the army. The State officers continued to occupy their positions; the legislature met, the courts were held, and the laws of the State were enforced. But the United States army occupied Georgia, being kept there by Congress in charge of the "territory."

With the army a large number of Northern men also came to Georgia. Some came to make their homes here and to take a part in building up the State. A great number, however, were mere adventurers, who had no real interest in the State, and whose only object was to secure offices. These adventurers were appropriately called "carpet-baggers." Many of them came as agents of the Freedmen's Bureau, which had been created by Congress to look after the interests of the freedmen. One was located in every important town and they soon acquired great influence with the freedmen. Prejudiced

against the Southern people, ignorant of the relations between the former masters and slaves, unable to appreciate the conditions which then existed, these agents, even with the best intentions, could only do harm.

Congress proposed the Fourteenth Amendment to the Constitution of the United States, and demanded that the Southern States *must* ratify it before Congress would recognize them as in the Union. The Georgia legislature met in November and refused to ratify, upon the ground that if Georgia was not a State, but a territory, she had no right to vote; while if Georgia was a State, the amendment was not legally proposed by a Congress from which her representatives were excluded, and Congress had no right to dictate to a State how it should act on any amendment.

By this action the issue was made and a crisis was at hand. Governor Brown went to Washington in the early part of the next year to see what could be done. Upon his return he wrote a letter advising the people of Georgia to accept the Fourteenth Amendment, for the reason that they would in the end be forced to do so. But the people were not in a mood to follow this advice, and Governor Brown became at once the most unpopular man in the State.

Governor Jenkins also went to Washington and tried to test in the Supreme Court the powers of Congress to make citizens of the freedmen, but the case was dismissed by the Court. Then he wrote a letter to the people of Georgia advising "a firm but temperate refusal of acquiescence" in the demands of Congress. Benjamin H. Hill threw all his influence and eloquence against the measures.

In March, 1867, Congress passed an act called the Reconstruction Act, under which Georgia, Alabama, and Florida were made the third military district, and Major-General Pope of the Federal army was put in command. In July another reconstruction act was passed in accordance with which a *registration* of voters took place under the direction in each county

of a military officer. There were nearly as many negroes put on the register as white men, the total number registered being 192,235, of which 95,973 were colored persons. General Pope then ordered an election for delegates to a constitutional convention. Many whites refused to vote in this election, and the negroes voted for the first time. Many of the delegates chosen were men of no character and little ability. Of the 166 delegates elected, 33 were negroes.

[Charles J. Jenkins was born in Beaufort District, S. C., in 1805. When he was eleven years old his parents moved to Georgia and settled in Jefferson County. He studied at the State University, and in 1830 he entered the legislature. He was attorney-general of the State in 1831. He was elected again to the legislature and became speaker of the House of Representatives. He was in the Georgia Convention of 1850 and was the author of the famous "Georgia platform." He declined the office of secretary of the interior under Millard Fillmore. In 1860 he was appointed to the Supreme Bench of Georgia. He was president of the Constitutional Convention of 1877. He died in Summerville, near Augusta, in 1883.]

QUESTIONS.

What did the legislature at Milledgeville do? Who was inaugurated governor? What action did Congress take in relation to the senators and representatives of Georgia? Tell about the difference between President Johnson and Congress on this matter. What was the peculiar position of Georgia during the struggle? Tell about the "carpet-baggers." What acts did Congress pass in 1867? Tell about the registration of voters. What did some of the whites do at the election?

TOPICS.

1. Jenkins inaugurated.
2. The President and Congress.
3. Congress and Georgia.
4. The Reconstruction Act.

CHAPTER LVII.

UNDER MILITARY GOVERNORS.

"What does he do—this hero in gray with a heart of gold? Does he sit down in sullenness and despair? Not for a day. Surely God, who had stripped him of his prosperity, inspired him in his adversity. As ruin was never before so overwhelming, never was restoration swifter."—HENRY GRADY.

THE convention met at Atlanta on December 9th and remained in session till the following March. A constitution was framed and adopted, and it was provided that it should be submitted to the vote of the people at an election in April, at which governor, State legislature, and congressmen should be chosen. The question of the location of the State capital was also to be submitted to the people. Atlanta offered an executive mansion and a suitable building for the legislature for ten years, and a lot on which to build a new State house. Milledgeville offered a site and a sum of money equal to the value of the old buildings.

During the session of the convention General Pope was relieved of his command of the district and General Meade appointed his successor.

This convention, requiring funds to pay its expenses, made a demand upon the State treasurer for forty thousand dollars for that purpose. The treasurer refused to give the money, on the ground that the law prohibited payments out of the State treasury except by order of the governor, with the sanction of the comptroller. General Meade, being appealed to by the convention, wrote to Governor Jenkins calling upon him to issue a warrant on the treasury for the money required, but the governor also refused. Meade then removed Governor Jenkins

and wrote an order in which General Thomas H. Ruger, of the United States army, was "detailed for duty" as governor of Georgia, and Captain Charles F. Rockwell as treasurer.

Governor Jenkins went to Washington and appealed to the Supreme Court against the action of Meade, but without success. When leaving Georgia he took with him the great seal of the State, and four hundred thousand dollars of State money. He deposited the money in a bank in New York to the credit of Georgia, and he carried the seal to Halifax, Nova Scotia, where he went with his family to reside.

GOVERNOR R. B. BULLOCK.

The election ordered by the convention took place in April, 1868, and the new constitution was ratified by a large majority. Rufus B. Bullock, the Republican candidate, was elected governor, with a majority of more than seven thousand over John B. Gordon, the Democrat. The majority voted in favor of Atlanta for State capital. Twenty-eight negroes were elected to the legislature.

JOSHUA HILL.

In June, 1868, Congress passed an act admitting Georgia to the Union on certain conditions, one being that the State legislature should ratify the Fourteenth Amendment to the Constitution of the United States. The legislature met in July and complied with the conditions, after which Governor Bullock was inaugurated and the government transferred from the military to the civil authorities of the State

This legislature elected Joshua Hill and H. V. M. Miller United States senators, but they were not permitted to take their seats. The lower house, however, at once seated the Georgia congressmen, and the vote of Georgia was counted by Congress for Seymour and Blair, Democratic candidates for President and Vice-President.

H. V. M. MILLER.

In September, 1868, the State legislature expelled its negro members, on the ground that, by the laws in existence at the adoption of the recently formed constitution, colored persons were excluded from office, and that the constitution provided for the continuance of these laws. Regarding this proceeding as a violation of the reconstruction acts, Congress, on assembling on March 4, 1869, refused to allow the representatives from Georgia to take their seats in that body. Soon after, the Supreme Court decided that negroes had a right to hold office. Congress then passed an act requiring Governor Bullock to convene the State legislature, with the expelled negroes as members, and requiring further that the legislature should ratify the Fifteenth Amendment to the Constitution of the United States before Georgia could be entitled to representation in Congress. To carry the act into operation, Major-General Terry was appointed military commander of Georgia.

The State legislature met on January 10, 1870, and attempted, amid much excitement and tumult, to organize. There were many adjournments; but, at length, both houses organized with the negro members reseated. The Fifteenth Amendment was then ratified, and senators were elected in place of Hill and Miller, but the United States Senate refused to recognize this election, and seated Hill and Miller.

The manner in which the Georgia legislature had been organ-

ized attracted the attention of Congress. The judiciary committee was directed to inquire into the organization, and their report pronounced it an "improper, illegal and arbitrary proceeding." A bill was passed providing for a new and fair election. Congress soon after passed an act admitting Georgia to the Union. It was signed by President Grant in July, but it was January next year before the senators and representatives of Georgia were admitted to their seats in Congress. This completed the work of reconstruction of the South, Georgia being the last of the States to be readmitted.

Meanwhile, the fight against Governor Bullock in the State was bitter and relentless. The Democratic State Convention in August passed strong resolutions pledging the party to a constitutional government and to a united effort for overthrowing the corrupt State administration. These resolutions were drawn by Judge Linton Stephens of Sparta, one of the ablest men of the State and a brother of A. H. Stephens.

O. A. LOCHRANE.

In December, 1870, the Western and Atlantic Railroad was leased under an act of the legislature, for twenty years, and Governor Brown, one of the lessees, was elected president. He resigned as Chief Justice of the Supreme Court, and Governor Bullock appointed O. A. Lochrane as his successor.

[Rufus Brown Bullock was born in New York in 1834. He came to Augusta in 1860 to organize the business of the Adams Express Company, in the South Atlantic States. His headquarters were at Augusta. Here he formed the Southern Express Company and became one of its managers. He was concerned in the organization of the first national bank in Georgia and was also president of the Macon and Augusta railroad. In 1867 he was chosen a delegate to the convention called to frame a con-

stitution under the then existing reconstruction laws. After his return to the State he made his home in Atlanta, and became president of the Atlanta Cotton Mills.]

[H. V. M. Miller was born in South Carolina in 1814. He studied medicine and settled in Cassville, Ga. His eloquence won for him the title of the Demosthenes of the Mountains. He was professor in several medical colleges and a surgeon during the civil war. He was an active member of the Constitutional Convention after the war and United States senator from 1870 to 1871. He died in Atlanta in 1897.]

[Joshua Hill was born in South Carolina in 1812. He became a lawyer and practised at Madison, Ga. He was in Congress from 1857 to 1861, when he resigned his seat, at the request of the Georgia convention, as he was opposed to secession. He took no part in the war, but was candidate for governor in 1863, when he was defeated by Governor Brown. He served as senator until 1873. He died in Madison in 1891.]

[Linton Stephens, a younger brother of Alexander H. Stephens, was born at Crawfordsville, Georgia, July, 1823. He graduated at the University of Georgia, 1843; studied law at the University of Virginia and at Harvard, and was admitted to the bar of Georgia. He represented the counties of Taliaferro and Hancock in the State legislature; became Judge of the Supreme Court of Georgia, 1858; was a Union delegate to the Secession Convention of 1861, and afterward a member of the legislature. He commanded Stephens's Battalion of Georgia Cavalry. He died at Sparta, 1872.

QUESTIONS.

What did the Convention at Atlanta do? Tell about the action of Gov. Jenkins and Gen. Meade in regard to the expenses of the Convention. What did Gov. Jenkins do when he was removed? Who was elected Governor in 1868? What did the State legislature of 1868 do? What did Congress then do? What was the decision of the United States Supreme Court? What did Congress then do? What did the State legislature do? What of the Western and Atlantic Railroad in 1870?

TOPICS.

1. Atlanta Convention.
2. Gov. Bullock elected.
3. Legislature expels negroes.
4. State legislature of 1870.
5. Congress admits Georgia.
6. Gov. Bullock censured.

EPOCH VIII.

Georgia once more in the Union.

CHAPTER LVIII.

THE RETURN OF PEACE.

"There was a South of Slavery and Secession—that South is dead. There is a South of Union and Freedom—that South, thank God! is living, breathing, growing every day."
—BENJAMIN H. HILL.

GOVERNOR JAMES M. SMITH.

ON the 23d of October, 1871, Governor Bullock wrote his resignation and left the State. The matter was kept a profound secret for a week. At the end of this time, Benjamin Conley, President of the Senate, took the oath of office as governor and assumed the duties. Two days later the legislature met, and Governor Conley was no longer a member of the senate, his term having expired. He was permitted to serve until his successor was elected and qualified, and the legislature ordered an election to be held for governor on the 3d of December. James M. Smith was nominated by the Democrats and was elected without opposition. In January, 1872, he was inaugurated governor.

Ex-Governor Jenkins now returned, and delivered up to Governor Smith the great seal of the State. In restoring it, he said: "I derive great satisfaction from the reflection that

it has never been desecrated by the grasp of a military usurper's hand." The legislature soon after passed a resolution authorizing the governor to have made and presented to Mr. Jenkins a fac-simile of the seal, with the inscription, "Presented to Charles J. Jenkins, by the State of Georgia," and also this motto, *In arduis fidelis*, which means *faithful in difficulties*.

GOVERNOR BENJAMIN CONLEY.

Chief Justice Lochrane resigned his position on the Supreme Bench and Governor Smith appointed Judge Hiram Warner as his successor.

A committee appointed by the legislature to investigate the matter reported that bonds to the extent of several million dollars issued during the Bullock administration were fraudulent. The legislature therefore declared the bonds null and void from the date of their issue, and they have never been paid by the State.

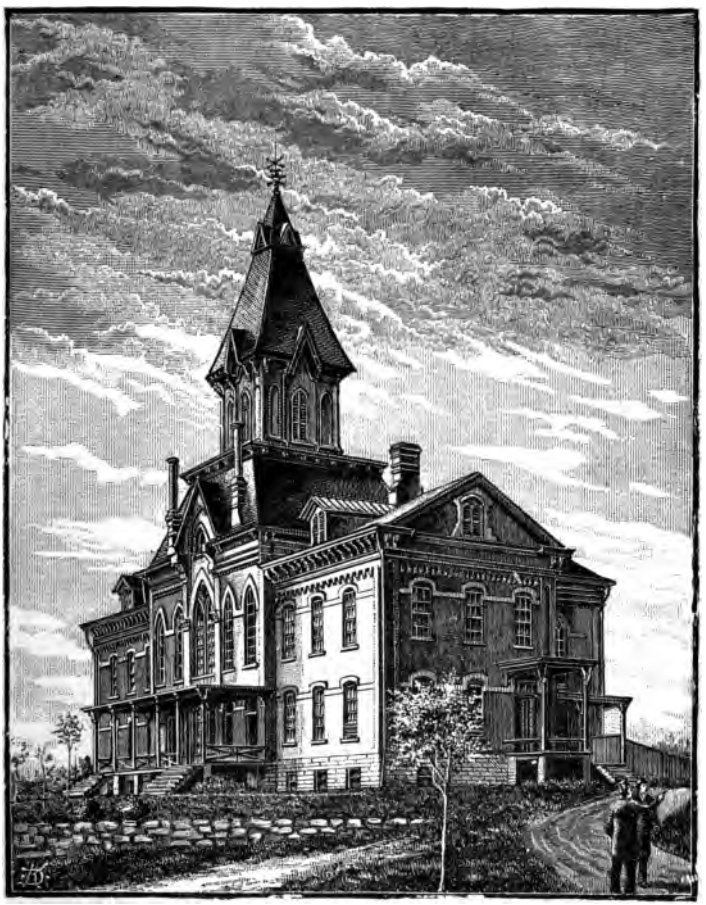
Charges were preferred against Governor Bullock and a warrant was issued for his arrest. An officer was sent to New York, where he was supposed to be, but he could not be found. A few years later he submitted to arrest, was tried, and was acquitted on failure of proof to convict him.

GUSTAVUS J. ORR.

The Constitution of 1868 directed the legislature to provide for the establishment of common schools, free to all children of the State, and with this object an act was passed in 1870. Governor Bullock appointed General J. R. Lewis State school commissioner. A new school law was passed *in 1872*, and one half the rental of the Western and Atlantic

Railroad was added to the public school fund. Professor Gustavus J. Orr was appointed State commissioner of schools by Governor Smith.

In 1872 Governor Smith was reëlected governor for a term of four years, and the vote of the State was cast for Horace



GEORGIA AGRICULTURAL COLLEGE, DAHLONEGA.

Greeley for President of the United States. General Grant was, however, elected. He appointed A. T. Akerman, of Bartow County, attorney-general in his Cabinet.

The North Georgia Agricultural College, at Dahlonega, in Lumpkin County, was opened in January, 1873, as one of the branch colleges of the University, the United States Government having given the old mint and ten acres of land for the purpose. In 1878 the mint was destroyed by fire, and a new college building was erected. The first diploma for the degree of A.B., received by a woman from a State institution, was granted by this college in 1878.

In 1862 Congress passed an act donating certain public lands to the States and Territories for the promotion of agriculture and the mechanic arts. The share allotted to Georgia was accepted by the State legislature in 1866, and the interest of the fund arising from the sale of the lands, amounting to about $17,000 a year, was assigned to the trustees of the University to carry out the purposes of the act.

The legislature of 1871 had elected Thomas M. Norwood United States senator to succeed Dr. Miller. In 1873 the legislature elected John B. Gordon United States senator to succeed Joshua Hill.

The convict lease system, begun under the Bullock administration, received the attention of the legislature of 1874, which authorized the governor to hire out the penitentiary convicts on lease for terms of not more than five years. In 1876 the legislature extended the limit to twenty years. The law required that the convicts should work only ten hours a day, and should have sufficient food, clothing, and sleeping accommodation, and medical attendance.

During the term of office of Governor Smith there was a great improvement in the financial and industrial condition of the people. The public credit was restored, the bonds of the State rose to par value, and the State was relieved of a fraudulent debt. However, an unpleasant incident occurred.

The State treasurer paid, with interest, certain bonds which had already been paid by Henry Clews of New York, but had not been cancelled. No one charged him with dishonesty, but he was promptly removed by Governor Smith.

[James M. Smith was born in Twiggs County in 1823. He was educated in Monroe County, became a lawyer, and served in the Confederate army as colonel of the 13th Georgia Regiment. He was in the legislature of 1871–72 as speaker of the House of Representatives. He was governor from 1872 to 1876. He was a member of the first State Railroad Commission appointed by the governor under the act of 1879.]

[Gustavus J. Orr, LL.D., was born in South Carolina, August 9, 1819. He grew up on a farm, with meagre school privileges, till he was about twenty years of age. He spent a year and a half at the University, and then graduated at Emory College. He was offered a place in the Faculty at Emory, which he accepted, thus beginning a long life of educational work. He died December 11, 1887.]

[John B. Gordon was born in Upson County, Georgia, February 6, 1832. He graduated at the State University and was admitted to the bar. In the Confederate army he rose from captain to lieutenant-general. He served in the United States Senate from 1873 to 1880. He was governor of Georgia for four years, and was again United States senator for six years. He died January 9, 1904.]

QUESTIONS.

What happened in October, 1871? Who was elected governor by the people in December? Tell about ex-Governor Jenkins and the returning of the seal. What can you say of the fraudulent bonds, and what was done regarding them? What can you say of the public school fund in 1872? Tell about the North Georgia Agricultural College. Who was elected senator in 1873? What power was given the governor regarding the lease of convicts?

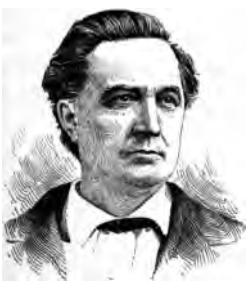
TOPICS.

1. Bullock resigns.
2. Smith elected governor.
3. Great seal returned.
4. Bullock bonds repudiated.
5. School fund of 1872.
6. Convict lease.

CHAPTER LIX.

THE CONSTITUTION OF 1877.

"Our work is before us, gentlemen, and a grand achievement is within our grasp. That work is the restoration of a vast heritage which a sad fortune has sorely wasted and damaged."—ALFRED H. COLQUITT.



GOVERNOR ALFRED H. COLQUITT.
(From a photograph in 1888.)

GEN. ALFRED H. COLQUITT was nominated for governor by the Democratic Convention held at Atlanta in August, 1876. The Republicans nominated Jonathan Norcross, of Atlanta, as their candidate. The election which followed in October resulted in the election of Colquitt, by a majority of nearly eighty thousand votes—the largest ever known in the State. At the election for President of the United States, on November 7th, the vote of Georgia was cast, by a majority of 79,642, for the Democratic candidates, Tilden and Hendricks. The legislature, which met on January 10, 1877, elected Benjamin H. Hill, United States senator for a term of six years, to succeed Thomas M. Norwood.

The people had never been satisfied with the constitution made for them by the Republican party, and the legislature called a convention to revise it. This convention met in Atlanta on the 11th of July, 1877. Several important changes in the constitution were made. The term of office of governor was reduced from four to two years. The system of appointments of judges and solicitors of the Superior Court

by the governor was changed to election by the legislature. It was resolved that the sessions of the legislature should be biennial instead of annual. The regulation of freight and passenger rates on the railroads was put under control of the

SHORTER COLLEGE, ROME, GA.

General Assembly, and the payment of the fraudulent bonds was prohibited. Robert Toombs was the leading spirit of this convention, and commenting upon the constitution, said that they had "locked the doors of the treasury and thrown away the key." It was also resolved that the constitution should be submitted to the people at an election in December,

and that the question of the removal of the State capital from Atlanta to Milledgeville should be submitted to a separate vote.

At the election held December 5th, the new constitution was ratified by a large majority. This constitution, which is still in force, is given in full in the Appendix.

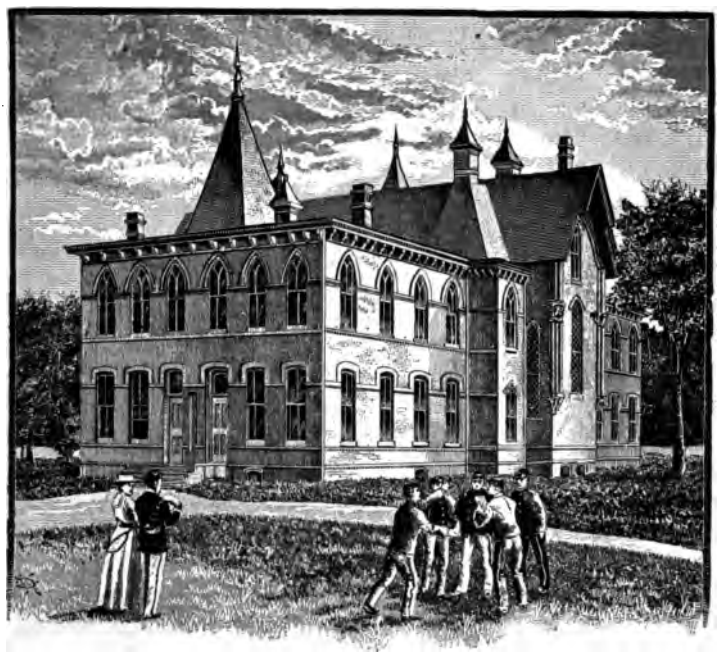
The question of the location of the capital excited great interest in the State, and speakers, some in favor of Atlanta and others of Milledgeville, discussed the question before the people in every county. Atlanta won by a majority of forty thousand votes. Thus the seat of State government, moved from Savannah to Louisville, and thence to Milledgeville, was finally fixed in Atlanta.

A female college at Rome was opened in 1873, but in 1877 Colonel Alfred Shorter, of Rome, took charge of the property, removed the old buildings, and erected, at his own expense, three large and elegant structures on the top of a hill. The name of the institution was changed to Shorter College in honor of its benefactor.

A series of exciting investigations occupied the attention of the legislature in 1878. Charges having been made of irregularities in several public departments, committees were appointed to examine into the affairs of the offices of secretary of state, comptroller-general, State school commissioner, public printer, and of the penitentiary. After inquiry, the committees reported favorably on all, except the offices of comptroller-general and the State treasurer, where abuses were discovered. Articles of impeachment* were therefore presented in the House of Representatives against the comptroller and the treasurer. The comptroller was charged with receiving and using money illegally, making false returns, and altering the records of his office. The case was tried by the

* For the laws regulating impeachment, see Constitution of Georgia, Art. 3, Sec. VI., Par. III. For the Trial of Persons impeached, see Constitution of Georgia, Art. 3, Sec. V., Par. III., IV., V.

Senate, presided over by Chief Justice Warner, and the comptroller was convicted. He was removed from office, and declared disqualified to hold office in Georgia during his life. Articles were also presented against the treasurer, but upon trial he was acquitted by the Senate.



AGRICULTURAL AND MECHANIC ARTS COLLEGE BUILDING, THOMASVILLE, GEORGIA. (NOW USED BY THE CITY FOR A GRADED SCHOOL.)

General John B. Gordon was elected United States senator by the legislature of 1878.

In virtue of the power conferred by the Constitutional Convention of 1877, to regulate the freight and passenger tariff of the railroads of the State, the legislature of 1879 passed an act, creating the offices of Commissioners of Railroads. Under

this act Governor Colquitt appointed ex-Governor James M. Smith, Campbell Wallace, and Samuel Barnett as commissioners. Their work has been highly beneficial to the people and has increased the prosperity of the railroads.

In September, 1879, additional branch colleges of Agricultural and Mechanic Arts were opened, at Thomasville for South Georgia and at Cuthbert for West Georgia. In 1880 a branch college for Middle Georgia was opened at Milledgeville, in the old State Capitol. A picture of this historic building has already been given.

In May, 1880, John B. Gordon resigned his seat in the United States Senate and Governor Colquitt appointed Joseph E. Brown to succeed him. The governor was severely criticised for this appointment, and his action formed an issue in the next electoral campaign.

[Alfred H. Colquitt was born in Walton County, Georgia, in 1824, was graduated at Princeton in 1844, studied law, and was admitted to the bar in 1845. He served during the Mexican War as a staff officer, with rank of major. In 1852 he was elected to Congress as a Democrat, and in 1860 was a presidential elector on the Breckenridge ticket. He was a member of the secession convention, entered the Confederate army, and reached the rank of major-general. He served six years as governor, and afterwards was elected a senator of the United Sates, serving until his death, March, 1894.]

QUESTIONS.

Who was chosen governor in 1876? What convention met in July, 1877? What changes were made in the constitution of the State? What city became the capital of Georgia? What can you say of the Shorter College? What investigation employed the legislature of 1878? What officers of the State were charged with fraud and with what result? What did the constitution of 1877 require of the legislature regarding railroads? Who were appointed commissioners by Governor Colquitt?

TOPICS.

1. Constitution revised.
2. Atlanta made the capital.
3. Comptroller-general impeached.
4. Railroad commission.

CHAPTER LX.

THE PROGRESS OF THE STATE.

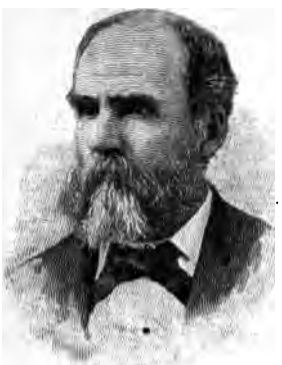
"War wasted lands
Laden with ashes, gray and desolate—
Touched by the charm of some regenerate fate—
Flush into golden harvests prodigal."
—PAUL H. HAYNE.

THE Democratic State Convention which met in Atlanta, in August, 1880, was one of the most remarkable ever held in Georgia. More than five hundred delegates were present. There were five prominent candidates for governor, but the Colquitt men were in the majority, and they organized the convention. They could have nominated their candidate, but they adopted a rule known as the "Two-thirds Rule," which requires that the candidates nominated must receive two-thirds of the votes cast. This was always the rule before the war, but Governor Smith had been nominated under the majority rule. A bitter fight now commenced in the convention, and for six days ballots were taken. It made intense excitement, but the minority were practically unshaken. Finally on the sixth day, after thirty-six ballots, the majority of the convention, by resolution, recommended Governor Colquitt as candidate and adjourned without making a nomination. The minority held a meeting shortly afterward and nominated Thomas M. Norwood, of Savannah. Both sides were determined to appeal to the people.

In the contest that followed, the ablest men of the State were engaged, while Colquitt and Norwood had several joint discussions. Every act of Colquitt's was discussed, and particularly his appointment of Brown as United States Senator.

When October came Colquitt won by a large majority and the legislature elected at the same time was in favor of Brown for Senator.

The bitter feeling against Governor Brown was due to his position on reconstruction, and was intensified by the fact that he had prosecuted the Columbus prisoners in 1868. In that year a Republican named Ashburn was killed in Columbus, and a number of citizens were arrested. Bail was refused them, they were cruelly treated, and were about to be tried before a military court, when General Meade retained Governor Brown as an attorney to prosecute them. A few months later the cases were transferred to the State courts, the prisoners were released on bail, and finally acquitted. Governor Brown made no explanation at the time, but now he brought witnesses to prove that he had accepted a retainer on condition that the cases should be transferred to the State courts, and in this way had saved the prisoners.



THOMAS M. NORWOOD.

In November, the legislature met and Governor Brown was elected United States Senator for the remainder of General Gordon's term. Governor Colquitt's message showed that his administration had been a success. All the industries of the people were in satisfactory condition, and many new enterprises were springing up. The State's credit was good and the public debt was being reduced every year. The tax on railroad property had been collected, and several hundred thousand dollars were added to the State revenue.

The census of 1880 showed the population of the State to

be one million, five hundred and fifty-two thousand, being an increase in ten years of over three hundred and fifty thousand. Under this census, Georgia had ten representatives in the lower house of Congress—a gain of one.

POPE BARROW.

The year 1881 is memorable in the history of Georgia for the International Cotton Exposition, in Atlanta, which was opened October 5th, with imposing ceremonies, by Governor Colquitt. The industries of all the States were represented. The buildings covered twenty acres, and two thousand exhibitors applied for space. People came from all sections to witness the exhibition.

After the Exposition closed, a number of the leading citizens of Atlanta formed a stock company and purchased the grounds and buildings. The largest of these buildings was fitted up as a cotton factory, called the Exposition Mills.

JAMES JACKSON.

Benjamin Harvey Hill, Georgia's distinguished son and senior senator, died in August, 1882. The legislature elected Pope Barrow, of Athens, to fill the remainder of his term in the United States Senate, and Alfred H. Colquitt to succeed him for the full term, six years, from March 4th,

1883. James Jackson was elected Chief Justice to succeed Hiram Warner.

In October, 1882, Alexander H. Stephens was elected governor. He was inaugurated in November. His election was a mark of popular esteem and appreciation of his great public services through a long life.

JAMES S. BOYNTON.

He was now past seventy years of age, and apparently still possessed a clear mind and great energy. But in a few months he was stricken with an illness from which he never recovered. He died on March 4, 1883.

On the death of Stephens, James S. Boynton, president of the Senate, became governor to fill the office until an election could be held. The election took place soon after, and resulted in the choice of Henry D. McDaniel as governor for the unexpired term.

[The candidates before the memorable convention of 1880 were: Col. Rufus E. Lester of Savannah, Thos. Hardeman of Macon, Gen. L. J. Gartrell of Atlanta, Hiram Warner of Meriwether County, and A. H. Colquitt. The vote on the first ballot was as follows: Colquitt 208¾, Lester 58½, Hardeman 54⅝, Gartrell 17½, Warner 11. Colquitt lacked 25 votes of having the two-thirds majority required by the rule. On the last ballot Colquitt's vote was 220, 14 less than two-thirds.]

[Thomas M. Norwood was born in Talbot County in 1830; attended school at Culloden, Monroe County, and graduated at Emory College, Oxford, 1850. He was admitted to the bar in 1852 and afterward moved to Savannah, where he has lived ever since. He was a member of the legislature in 1861; in 1871 he was elected United States Senator and served until March 3, 1877. He is well known as a writer.]

[James S. Boynton was born in Henry County, in 1833. He grew up on a farm, getting such education as he could from the country schools

of the time. In 1852 he was admitted to the bar. He practised law in Jasper and Butts Counties. He entered the Confederate service and was colonel of the 30th Georgia Infantry. After the war he resumed the practice of the law in Griffin. In 1880 and 1882, he was elected to the Senate of the State, and made president of that body. After serving as governor he was a judge of the Superior Court.]

[Pope Barrow, a grandson of a Virginia soldier of the Revolution, was born in Georgia. He entered the Confederate Army as second lieutenant of artillery and served through the war, rising to the rank of captain; represented Clarke County in the State legislature and in the Constitutional Convention of 1877; and was United States Senator from Georgia. Later his home was in Savannah, where he was a leading member of the bar. He died in 1904.]

[James Jackson was born in Jefferson County in 1819. He graduated at the University in 1837, studied law and was admitted to the bar in 1840. He was elected judge of the Superior Court in 1846, and remained on the bench until 1859, when he resigned to go to Congress. After the war he practised law in Macon until 1875, when he was appointed judge of the Supreme Court. In 1880 he became chief justice, which office he held until his death in 1887.]

QUESTIONS.

What can you say of the Democratic State Convention of 1880? How many candidates were before the Convention? How many ballots were taken? What was finally done by the majority? Whom did the minority nominate? What of the contest which followed? What was the result of the election? What did the Governor's message of 1880 show? Tell what you can of the Cotton Exposition in 1881. Who was elected governor to succeed Colquitt? What sad event happened soon after? Who became governor after the death of Stephens? Who was elected governor by the people to fill the unexpired term?

TOPICS.

1. Campaign of 1880.
2. Cotton Exposition of 1881.
3. Senatorial changes.
4. Stephens elected governor.
5. Boynton governor.
6. McDaniel governor.

CHAPTER LXI.

ADMINISTRATION OF McDANIEL.

"Let us resolve, each in his appropriate sphere, to contribute all in our power to promote the happiness and prosperity of all the people of the State, by insuring to them the impartial execution of just law."—Gov. H. D. McDaniel.

GOVERNOR H. D. McDANIEL.

HENRY D. McDANIEL was inaugurated governor on the 10th of May, 1883, in the presence of the legislature, which then adjourned. The legislature convened again in July. Among the important acts passed during its session was one appropriating a million dollars for a State Capitol, in Atlanta. The building which has since been erected is a magnificent and beautiful structure. It is situated on one of the squares of the city. The material is limestone, with Georgia granite for the foundation and base, and marble for the interior.

The construction of the building was placed in the hands of a commission consisting of Governor McDaniel, Captain Evan P. Howell, General Phil Cook, General E. P. Alexander, W. W. Thomas, and A. L. Miller. It was completed and occupied in 1889. A few dollars of the appropriation were still unexpended, and it is said to be the only State capitol ever built, the cost of which did not exceed the appropriation.

The legislature of 1884 reëlected Joseph E. Brown United States Senator for a full term of six years.

The legislature of 1885 passed an act authorizing the *esta*blishment of a School of Technology, as a branch of the

Machinery Building.
Wood Room
Georgia School of Technology
Atlanta, Ga.

State University. The sum of $65,000 was appropriated for erecting and equipping the buildings for the new department. This school, which is located in Atlanta, contains a foundry and machine shops for instruction in all kinds of metal and wood working. There are also courses in drawing, science, mathematics, and other branches necessary to make a young man an intelligent and skilful mechanic.

The most important measure passed by the legislature of 1885, was a general local option law. This law provided that upon application by petition signed by one-tenth of the voters in any county, the Court of Ordinary should order an election to be held to determine whether or not intoxicating liquors should be sold in the county. Before the passing of this general local option law, applications for holding such elections used to be made to the legislature, and many courts and districts had voted in favor of prohibition.

[Henry D. McDaniel was born in Monroe, Walton County, in 1837. He graduated at Mercer University, studied law and practised in Monroe. He was the youngest member of the Secession Convention in 1861. He was in the Confederate army, and commanded a brigade at Gettysburg. After the war he was elected to the legislature and became chairman of the Finance Committee. He was author of a law for the taxation of railroads, that has been adopted in other States. After his term of office, he resumed the practice of law in Monroe.]

QUESTIONS.

Who was inaugurated Governor in 1883? What act was passed by the legislature in July? Tell about the construction of the State capitol. Tell about the School of Technology. What important measure was passed by the legislature of 1885? What did the law provide?

TOPICS.

1. McDaniel inaugurated.
2. The New Capitol.
3. The School of Technology.
4. Local Option Law.

CHAPTER LXII.

ADMINISTRATION OF GORDON.

"From political confusion, angry controversies, and bloody conflicts have come a national life more robust, a national peace more real and a national union more enduring."
—GEN. JOHN B. GORDON.

GENERAL JOHN B. GORDON.
(From a photograph, 1884.)

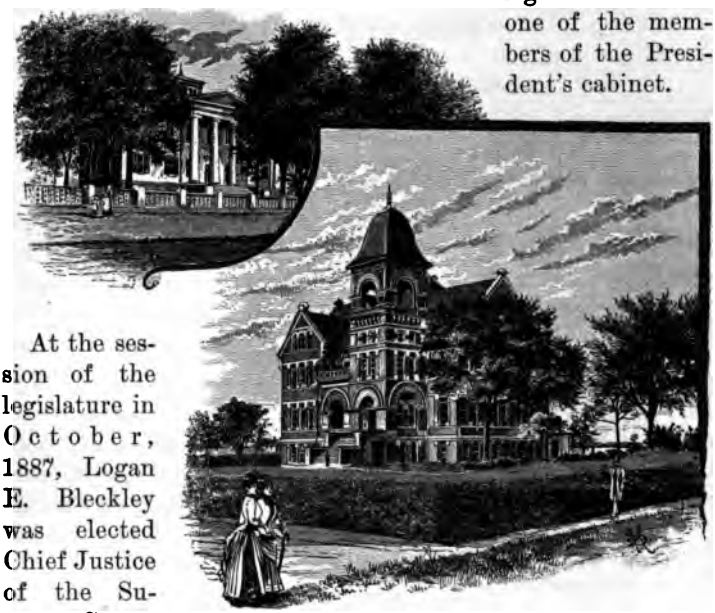
ON October 6, 1886, General John B. Gordon was elected governor. His service in the war and in the Senate, his high character, and his genial manner had endeared him to the people.

At the election of 1886, the people ratified an amendment to the State Constitution, giving the legislature power to levy a tax for supplying soldiers who had lost a limb or limbs in the military service of the Confederate States with artificial limbs, and to make provision for Confederate soldiers who had been disabled in the war.

In August, 1887, an interstate convention of farmers was held in Atlanta. Representatives from all the Southern States were present. The causes of the agricultural depression were discussed, and remedies proposed.

LOGAN E. BLECKLEY.

A resolution was passed recommending that "the National Department of Agriculture be advanced to the dignity of a cabinet position." This has since been done, and a Minister of Agriculture is now one of the members of the President's cabinet.



NORMAL AND INDUSTRIAL COLLEGE FOR GIRLS, MILLEDGEVILLE.

At the session of the legislature in October, 1887, Logan E. Bleckley was elected Chief Justice of the Supreme Court, to succeed Judge James Jackson, who died in the previous January.

At the election in October, 1888, Governor Gordon was re-elected without opposition.

In 1889 the legislature passed an act providing for the establishment of a Normal and Industrial College for Girls. The institution is located at Milledgeville. Its course of instruction includes stenography, bookkeeping, telegraphing, dressmaking, cooking, music, and art. One of the college buildings is the Mansion, which for many years was the residence of the governors of the State.

HENRY W. GRADY.

Annual expositions were commenced in 1887 in Atlanta and Augusta. President Cleveland and his wife visited the Atlanta Exposition in 1887.

The death of the young journalist and orator, Henry W. Grady, which occurred in 1889 in Atlanta, caused profound grief throughout the country. Memorial meetings were held in many places. A statue has been erected to his memory in Atlanta, and the Grady Hospital in that city is named in his honor.

[Henry W. Grady was born in Athens, 1851. He was graduated at the State University of Virginia. Upon his return to Georgia he took up the profession of journalism. He was an able writer and an eloquent public speaker. Some of his speeches attracted national attention, notably that on the "The New South" delivered in New York; that on "The South, Her Problems," delivered at Dallas, Texas; and the speeches at Plymouth Rock and Boston. He died on December 21, 1889.]

[Logan E. Bleckley was born in Rabun County, in 1827. He was admitted to the bar at 19 years of age, and in 1851 he began to practise law in Atlanta. In 1853 he was elected judge of the Coweta Circuit, and served for four years. In 1875 he was appointed to the Supreme Court. He died in March, 1907.]

QUESTIONS.

Who was elected governor in 1886? What amendment to the Constitution was ratified at the same election? What convention was held in Atlanta in 1887? Who was elected chief justice in 1887? What college was created by the legislature in 1889? What of Henry W. Grady?

TOPICS.

1. Gordon elected governor.
2. The injured soldiers.
3. Farmers' Convention.
4. Normal and Industrial College.

CHAPTER LXIII.

ADMINISTRATION OF GOVERNOR NORTHEN.

"In the light of the blessed present, gather strength and courage for the possibilities of the future. Loving all that is good, despising nothing but evil, in the fullest sympathy for the misfortunes of each other, and in united purpose for the good of the State, let us strike together as with one arm for home, for humanity, and for the right."—WILLIAM J. NORTHEN.

GOVERNOR WILLIAM J. NORTHEN.

WILLIAM J. NORTHEN, President of the State Agricultural Society, was candidate for the Democratic nomination for governor. The Farmers' Alliance endorsed him, and he was nominated and elected without opposition, a very unusual thing in our State.

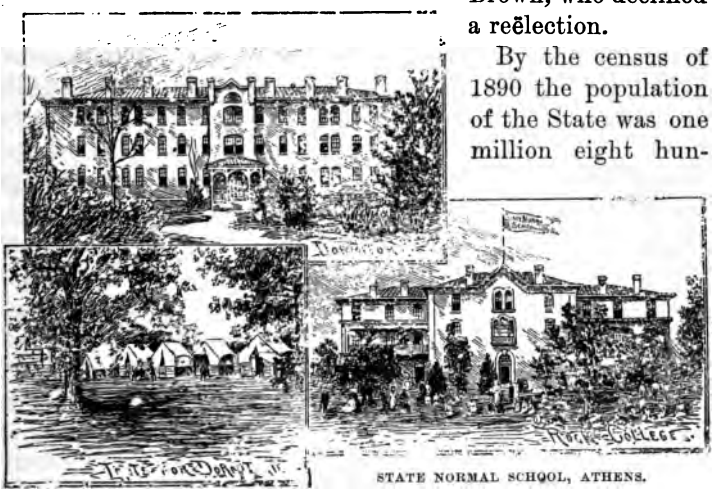
The Farmers' Alliance was a society to advance the interests of farmers, and one of its purposes was to secure better laws. As Georgia is a great agricultural State, the Alliance soon had a large membership in every county, and exercised great influence in political affairs.

CHARLES F. CRISP.

The twenty-year lease of the Western and Atlantic Railroad expired in 1890, and the disposition of this property excited great interest for some time. The legislature finally decided to lease the property again, and in June of that year the bid of the Nashville, Chattanooga and

St. Louis Railway was accepted. The State still owns the road, and the Railway Company pays a rental of $35,000 a month for twenty-nine years.

The legislature in November elected General Gordon the third time to the United States Senate to succeed Governor Brown, who declined a reëlection.



STATE NORMAL SCHOOL, ATHENS.

By the census of 1890 the population of the State was one million eight hundred and thirty-seven thousand three hundred and fifty-three, an increase of nearly three hundred thousand in ten years. Under the new apportionment Georgia gained another member in Congress.

When the new Congress assembled in 1891, Judge Charles F. Crisp, of Americus, was elected Speaker of the House of Representatives. He had for some years been recognized as a leader in that body, and as its presiding officer he won the approval of the whole country.

A State Normal School for the training of teachers was provided for by the legislature in 1891, and located at Athens, in the building known as Rock College, and occupied formerly as an experiment station for students of agri-

culture at the University. The Normal School is under the control of a special commission, and is a branch of the State University. For the first three years it was open only during the summer, but in 1895 arrangements were made for a full session, and the doors were opened on the 17th of April of that year. For several years S. D. Bradwell was president of the Normal School, but after his resignation E. C. Branson was put at the head of the school. It has grown steadily year by year until five or six hundred students annually crowd its rolls, and go out into the schools of the State thoroughly prepared to teach. This institution and the splendid one at Milledgeville are doing much to enlarge the school system of the State, and bring the profession of the teacher up to its proper dignity.

The same legislature in 1891 made the first Monday in September, Labor Day, a legal holiday in the State.

In May, 1891, many of the leaders of the Farmers' Alliance of the United States formed a new party which they named the People's Party, though it is sometimes called the Populist or Third Party. Many members of the Alliance in Georgia joined this party, and Thomas E. Watson, of Thomson, an able lawyer and member of Congress, became its leader in the State. At the election for governor in 1892 the People's Party nominated W. L. Peek as a candidate, but Governor Northen, the Democratic nominee, was reëlected.

At the same time the people ratified an amendment to the State Constitution which provides for a session of the legislature every year instead of every two years. Each session is limited to fifty days, and begins on the fourth Wednesday in June.

The most exciting contest in the State in 1892 was in the Tenth Congressional District, between J. C. C. Black, Democrat, and Thomas E. Watson, leader of the People's Party. It attracted the attention of the whole country. Black was declared elected. Watson contested the election before Congress, but Black retained his seat.

In recent years the electoral vote of Georgia has always been given for the Democratic candidate for President of the United States, and in 1892 this vote was given to Grover Cleveland. He selected Hoke Smith, of Atlanta, one of the leading lawyers of the State, as a member of his Cabinet.

Senator Colquitt died in March, 1894, and Governor Northen appointed as his successor Judge Crisp, who felt it his duty to decline because he was then Speaker of the House of Representatives of Congress, and leading members of that body urged that he could not be spared. The governor then appointed Patrick Walsh, of Augusta, well known as editor and proprietor of the *Augusta Chronicle.*

PATRICK WALSH.

[William J. Northen was born in Jones County, Georgia, July 8, 1835. He was graduated at Mercer University in 1853. He began teaching school in 1854. After the war he returned to Hancock County and taught school until 1874, when, because of ill health, he went to farming. He was in the State Democratic Convention of 1867, representative from Hancock County in the General Assembly of 1877, 1878, 1879, and in the notable gubernatorial convention of 1880. He was representative again in 1881, and Senator in 1884–85.]

[Charles Frederick Crisp was born in Sheffield, England, on January 29, 1845. His parents were Americans temporarily sojourning in England, and they returned to this country in 1846. At the close of the war he began the study of law and was admitted to the bar. In 1872 he was appointed solicitor-general of the southwestern district, and served until 1877, when he was appointed Judge of the Superior Court. He resigned this office to become a candidate for Congress from

the Third Georgia district. He was Speaker of the Fifty-second and Fifty-third Congress. He died in Atlanta in 1896.]

[Hoke Smith was born in North Carolina September 1, 1855. He located in Atlanta, where he read law and was admitted to the bar. From the first he was successful, and soon rose to front rank as a lawyer. He bought the *Atlanta Journal*, but continued his profession. During the campaign of 1892 he was recognized as the leader of the Cleveland party in the State. He was appointed secretary of the interior in Cleveland's Cabinet, and served with distinction until July, 1896, when he resigned because he intended to vote for the nominee of the Chicago Democratic Convention although he did not approve the platform.]

[Thomas E. Watson was born in Columbia County, Georgia, September 5, 1856, and entered Mercer University in 1872. Leaving college July, 1874, he became a school teacher in Screven County. He was admitted to the bar in Augusta in 1875, and located at Thomson in November, 1876. He was a member of the Georgia legislature in 1882, and was elected to Congress in 1890. In 1896 he was the nominee of the People's Party for Vice-President. In 1904 and in 1908 he was the nominee of that party for President.]

QUESTIONS.

What of Governor Northen's election? What was the object of the Farmers' Alliance? What about the Western and Atlantic Railroad in 1890? Who was elected to the United States Senate to succeed Governor Brown? What was the population of Georgia in 1890? What prominent Georgian was elected Speaker of the House of Representatives in 1891? What school was established by the legislature in 1891? What new political party was formed in 1891? Who was its leader in Georgia? What amendment to the State Constitution was ratified in 1892? What Georgian was made a member of President Cleveland's Cabinet? What senator died in 1894, and who was appointed to succeed him?

TOPICS.

1. Northen governor.
2. Farmers' Alliance.
3. Western and Atlantic Railroad.
4. State Normal School.
5. People's party.
6. National elections.

CHAPTER LXIV.

ADMINISTRATION OF GOVERNOR ATKINSON.

"He who serves the people wisely, courageously and unselfishly, will receive his reward in the merited esteem of his countrymen, who will love him for the enemies which he may have made in his devotion to duty."—W. Y. ATKINSON.

GOVERNOR W. Y. ATKINSON.

In 1894 two candidates appeared for the Democratic nomination for governor—W. Y. Atkinson, Speaker of the House of Representatives, and General Clement A. Evans. After a series of joint debates and a few months' vigorous campaign, it became evident that a majority of the delegates were for Atkinson. General Evans withdrew in the interest of party harmony, and Atkinson was nominated.

The Republicans put no State ticket in the field. The nominee of the People's Party was Judge James K. Hines. The total vote cast at the election in October was the largest in the history of the State, being nearly 218,000. Atkinson was elected and inaugurated.

When the legislature met Mr. Walsh was elected United States senator for the unexpired term of Senator Colquitt, and Augustus O. Bacon, of Macon, was elected to succeed him for the full term. The legislature also elected Judge Thomas J. Simmons, Chief Justice of the Supreme Court

AUGUSTUS O. BACON.

to succeed Judge Bleckley, who had resigned.

A noted contest for election of Member of Congress occurred in the Tenth Congressional District between James C. C. Black, of Augusta, the Democratic candidate, and Thomas E. Watson, of Thomson, the Populist candidate.

The majority of votes was counted for Black, but each party admitting that there had been fraud on its side, he agreed that there should be another election. The legislature of 1894 made an election law that insured fairness, and in the second election, which was held early in 1895, Black was chosen by a majority of 1,602.

In 1895 the International and Cotton States Exposition was held in Atlanta, and all the industries and resources of the South were fully represented. This fair ranks among the greatest that have been held in the country. There were exhibits from all over the Union, and from South American and foreign countries. The number of visitors was very great. The Exposition opened September 18, and closed December 31.

THOMAS J. SIMMONS.

In 1896 Governor Atkinson was reëlected, his opponent being Seaborn Wright, candidate of the People's party.

The legislature of 1896 elected Alexander S. Clay, of Marietta, United States senator for six years, from March 4, 1897, to succeed John B. Gordon.

For many years Spanish rule in the island of Cuba had been attended with much suffering to the people, and in 1894 they rose in armed revolt against it. Spain acted with great cruelty in trying to suppress this revolt. The sympathy of Americans was strongly on the side of the Cubans, and in 1897 our Government made a demand upon Spain that peace be promptly established in the island. This caused much bitter feeling among the Spaniards, and the safety of American citizens in Cuba became endangered.

ALEXANDER STEPHENS CLAY.

To protect our interests, the United States battleship *Maine* was sent to the harbor of Havana, but on February 15, 1898, it was wrecked by an explosion, and most of the crew were killed. The excitement caused by this event led to a resolution of Congress declaring that Cuba should be freed from Spanish rule, and authorizing the President to use the army and the navy of the United States for that purpose. The President called for 125,000 volunteers to enforce the resolution, and the nation responded with enthusiasm.

Georgia supplied her quota of troops with patriotic promptness. The demand on the State was for more than three thousand soldiers, and the call was at once responded to. Three regiments were organized—the First Georgia under Colonel A. R. Lawton, of Savannah, the Second Georgia under Colonel Oscar J. Brown, of the regular army, and the

Third Georgia under Colonel John S. Candler, of Atlanta. The Third was afterwards placed under the command of Colonel Robert L. Berner, of Forsyth, and was sent to Cuba, where it served for several months in camp around the city of Havana.

Among the major-generals appointed by President McKinley, was Joseph Wheeler, a Georgian by birth. He served with distinction in the campaign against Santiago, one of the chief towns of Cuba. Among the brigadier-generals appointed was General W. W. Gordon, of Savannah, who was in command of his brigade while encamped in Florida. After the war he was appointed on the commission to arrange for the evacuation of the island of Porto Rico by the Spaniards. Another native of Georgia, Thomas M. Brumby, served on the *Olympia* as flag-lieutenant under Admiral Dewey in the Philippine Islands. When Manila surrendered he was sent to raise the American flag over the city.

GENERAL W. W. GORDON.

A number of camps were established in Georgia during the war. At Griffin there was a camp for the instruction of State troops; and at Chickamauga Park, Macon, Augusta, Athens, and Columbus, were camps for the soldiers of the regular and volunteer armies. Augusta was the headquarters of the Second Army Corps, and it was also one of the camps at which volunteer soldiers were mustered out after the war.

The war did not last long. A Spanish fleet was destroyed in the Philippine Islands by Admiral Dewey, and another Spanish fleet was destroyed in Santiago Bay by Rear Admirals Sampson and Schley. Soon afterwards Spain asked for peace, and an agreement between the Spanish and United States Governments was signed in August, 1898. This was the end of the war with Spain.

An act of the legislature, passed in 1897, greatly changed the system of management of prisons. It provided that male and female convicts should be kept apart; that children under fifteen years of age should be kept separate from other criminals; that white and colored convicts should not be put to work together, and that men not disabled might be hired out. A Prison Commission was also created to carry out the provisions of the act. The commissioners appointed were, Joseph S. Turner (chairman), Clement A. Evans, and Thomas Eason.

The Commission has established a State Farm near Milledgeville, on which the convicts are employed. A correctional department is provided for boys, where they are trained so as to fit them to earn their living by honest industry when they are discharged from prison.

The Commission is also a Board of Pardons required to investigate applications for clemency to convicts, and to make a recommendation on each case to the governor, who alone has the pardoning power.

[Augustus O. Bacon was born in Bryan County in 1839. In 1860 he graduated at the law school of the University and began practising law in Atlanta. In May, 1861, he joined the army. After the war he went to Macon and resumed the practice of the law. In 1870 he was elected to the legislature, and in 1873 was chosen speaker, which office he held for a number of years. He was the most prominent candidate for governor in 1886, and his nomination was conceded until a few months before the election, when General Gordon entered the race and was nominated. He was elected senator in 1894.]

[Thos. J. Simmons was born in Crawford County in 1837. His early education was received at the common schools of the neighborhood and completed at La Grange. He began the practice of the law in 1857 at Knoxville. He served in the Confederate Army, reaching the rank of lieutenant-colonel. After the war he moved to Macon. He was a member of the legislature for several years, serving two terms as president of the Senate. In 1887 he was elected to the Supreme Court to fill the vacancy caused by the death of Judge Hall.]

[W. Y. Atkinson was born in Meriwether County in 1854. He was a graduate of the State University and began to practise law in Newnan. He was elected to the legislature from Coweta County, and was speaker of that body during the session of 1892–93. He was chairman of the State Executive Democratic Committee in 1892. He died August 8, 1899.]

[Alexander S. Clay was born in Cobb County in 1853. He received his education at Hiwassee College, and began to practise law in Marietta in 1887. In 1884 he represented Cobb County in the legislature. In 1888 he was elected speaker of the House of Representatives. In 1890 he was chosen to the State Senate, and was elected president of that body. In 1894 he was chosen chairman of the State Democratic Committee.]

[General W. W. Gordon was born in Savannah, October, 1834. He graduated at Yale College in 1854 and entered business in the city of his birth. He served as captain in the Confederate service during the war, after which he returned to business life in Savannah. He was a member of the legislature in 1884, 1886, and 1888.]

QUESTIONS.

What two Democratic candidates appeared for nomination for governor in 1894? Who was nominated? Who was elected? Tell about the contest for Congress in the Tenth District. Tell of the Exposition in Atlanta in 1895. Who was elected governor in 1896? Who senator? What can you say of Spanish rule in Cuba? Tell of the wrecking of the *Maine*. What did Congress do? What regiments were organized in Georgia? Name the Georgians appointed to military command by the President. Tell of the camps established in Georgia. What of the changes in the prison system?

TOPICS.

1. Atkinson elected governor.
2. Contest in the Tenth District.
3. Atlanta Exposition.
4. War with Spain.
5. Prison Commission.

CHAPTER LXV.

ADMINISTRATION OF GOVERNOR CANDLER.

"A venal vote is the destruction of a republic. Such a government must rest upon the virtue and intelligence of the voter. Without both virtue and intelligence in the voter it must fall."—A. D. CANDLER.

GOVERNOR A. D. CANDLER.

WHILE the exciting events of the war were taking place, the time for another State election came round. The Democratic convention met at Atlanta June 29, 1898, and nominated Allen D. Candler for governor. The platform of the party declared that the war with Spain was "just and righteous." It advocated the construction of the Nicaraguan Canal by the United States, and declared in favor of the free coinage of silver at a ratio of 16 to 1. The Populists nominated J. R. Hogan, of Lincoln County, for governor.

The Democrats carried the election by large majorities. Candler was elected, and all the eleven congressmen elected were Democrats. An amendment to the Constitution of the State that the judges and solicitors of the Superior Courts should be elected by the people, was also carried.

In December, 1898, a jubilee was held in Atlanta, as a celebration of our victory in the war with Spain. President McKinley was present, and addressed the legislature. He also spoke in other places in Georgia, and paid tributes to the

valor of the Confederate soldiers of the Civil War. He visited the various encampments of the troops, and was received with enthusiasm by all the people.

Rev. Atticus G. Haygood, a distinguished Georgian and bishop of the Methodist Church, died in 1896, and at the next general Conference, in 1898, Dr. Warren A. Candler was elected bishop. He was the third President of Emory College upon whom this honor was conferred. Hon. Walter B. Hill, of Macon, was elected President of the State University in July, 1899, in place of Dr. William E. Boggs, who resigned.

WALTER B. HILL.

In 1899 a reception was given to Lieutenant Brumby, in recognition of his service in the Philippine Islands under Admiral Dewey. On October 26th the General Assembly passed a complimentary resolution, and Governor Candler presented to the lieutenant a sword in the name of the State.

In October, 1900, an Amendment to the Constitution was adopted, which enabled the State to help a larger number of the widows of Confederate soldiers. The Legislature passed an act which gives a pension of sixty dollars a year to any widow of a Confederate soldier, who enlisted from Georgia, and served six months, provided the widow now lives in the State and cannot support herself. The Legislature had already given pensions to the widows of soldiers who died in the Confederate service. The widows of Union soldiers get pensions from the United States, but the widows of Confederate soldiers have no assistance except that given them by their own State.

Under Governor Candler the new prison system established in 1897 was put in successful operation; new buildings were erected at the University, the capacity of the asylum for the insane and of the schools for the deaf, dumb and blind was greatly enlarged, and the school fund for the support of the common schools and colleges was increased.

Governor Candler urged the importance of having some one compile the historical records of Georgia, including the colonial, revolutionary and Confederate records. This has been done in many other States. After Governor Candler's term as Governor had expired, the recommendation was taken up by the Legislature, the office of "Compiler of State Records" was created, and he was chosen to fill it.

[Allen Daniel Candler was born in Lumpkin County, November, 1834. He graduated from Mercer University, 1859, and taught school and studied law till the fall of 1861, when he enlisted in the Thirty-fourth Georgia Infantry, Confederate Army, in which he was elected first lieutenant. Subsequently he became captain and colonel. He was a member of the Georgia House of Representatives from 1872 to 1877, inclusive; of the Georgia Senate from 1878 to 1880, and of the United States House of Representatives from 1883 to 1891. He was Secretary of State of Georgia from 1894 to 1898.]

[Walter B. Hill was born in Talbotton in 1851. In 1870 he graduated at the University of Georgia, and next year at the University Law School. He began the practice of law, and at the age of twenty-two was appointed to assist in the work of compiling the Code of Georgia. In 1886 he was President of the Georgia Bar Association. He died in 1905.]

QUESTIONS.

Who was elected governor in 1898? Tell about President McKinley's visit to Georgia. Tell of the chancellorship of the university. What changes took place in other educational institutions? Tell about the reception to Lieutenant Brumby. Give some other events of Gov. Candler's administration.

TOPICS.

1. Candler elected governor.
2. Jubilee at Atlanta.
3. Changes in the colleges.
4. Events of his administration.

CHAPTER LXVI.

ADMINISTRATION OF GOVERNOR TERRELL.

"In the disposition of the patronage and appointments vested in the Governor I shall endeavor to select the best man, without fear, favor or affection. I have no promises to fulfil and no old scores to settle. We are one family now, and all shall be treated alike."—JOSEPH M. TERRELL.

IN 1902 there were three candidates for the Democratic nomination for Governor. These were Joseph M. Terrell, J. H. Estill and Du Pont Guerry. The contest was spirited for several months. At the primary election to decide who should be the candidate of the party, Joseph M. Terrell was nominated, and at the regular election he was chosen governor by a large majority. He was inaugurated in the presence of the legislature which met in the fall of 1902.

JOSEPH M. TERRELL.

The legislature reëlected Senator A. S. Clay for another term of six years.

At the general election in 1902 Colonel John S. Candler was elected an Associate Justice of the Supreme Court of Georgia. After Governor Terrell was inaugurated two vacancies occurred in that Court and he appointed Joseph R. Lamar and Henry G. Turner to fill them.

A new penal system was adopted by the act of 1897, which was reënacted, with some changes, in 1903. This legislation was an important reform of the old system prior to

1897, under which convicts had been leased for a term of twenty-five years. Under the new system, providing for a State Farm (p. 345), the labor of the felony convicts not sent to the farm was disposed of by the State under contract to do certain kinds of work not competing with free skilled labor.

In 1903 the legislature passed an act providing that the same text-books should be used by all the public schools in the State. Under this law books were adopted by the State School Book Commission in December, 1903, to be used for five years. Cities, counties and towns which levy a special tax and support their own schools for eight months each year, are not required to use the adopted books, but are left independent and free to use any books they please.

In 1905 eight new counties were created, viz: Grady, Tift, Turner, Crisp, Jeff Davis, Toombs, Jenkins and Stephens. In 1906 one more was added and named Ben Hill. This brings the number of counties up to one hundred and forty-six.

DAVID C. BARROW.

Walter B. Hill, the beloved chancellor of the University, died in December, 1905. The trustees at their regular meeting in June, 1906, elected David C. Barrow his successor. Of late years, under the inspiration of able leaders and with the assistance of generous friends, the University has grown rapidly. New buildings have been erected, the campus has been enlarged, and the enrollment of students has largely increased.

Great progress has been made in education during the past few years. The public-school system was begun in 1871, under General J. R. Lewis, as State school commissioner. In January, 1872, General Lewis was succeeded by Gustavus J. Orr, who was called the father of common schools in Georgia. Dr. Orr retained the place until his death in 1887, and was succeeded by Judge James S. Hook. Governor Northen appointed S. D. Bradwell to the office, who, in turn, was succeeded by G. R. Glenn under Governor Atkinson's administration. At the popular election in 1902, W. B. Merritt was elected to this office. Merritt resigned in 1907 and was succeeded by Jere M. Pound, who was appointed to the position by Gov. Hoke Smith. During all these years the system has grown steadily. At first there was only a three months' term of school every year, but now a much longer term is the rule throughout the State, and in the cities, where the State fund is supplemented by a local fund, the schools are open nine months. The school fund from all sources amounts to about three million dollars per annum. There are about ten thousand teachers who instruct a half million children.

The legislature of 1906 established in each Congressional district a "School of Agriculture and Mechanic Arts." The districts provided the lands and buildings, the State agreeing to maintain the schools thereafter. The course of study covers the branches of an English education. Tuition is free. All the work on the college farms and grounds is done by the students, but one half of the net profits of the farms is paid to the students for their labor. In 1907 there was lively bidding among the various counties of the several districts for the location of these schools. By the end of the year they were all located.

[Joseph Meriwether Terrell was born June 6, 1861, in Greenville, Meriwether County, Georgia. He was reared on a farm, and accustomed

to farm life until twenty years of age. He then studied law, and began to practise in his home county. In 1884 he went to the legislature. In 1890 he became State Senator. In 1892 he was elected attorney general, which office he resigned when he entered the race for governor.]

[David Crenshaw Barrow was born in Oglethorpe County, Ga., October 18, 1852. He graduated at the University of Georgia in 1874, and in the same year was elected adjunct professor in Mathematics and Engineering. He has been with the University since that date in various offices. He has been prominent in educational circles all his life, and enjoys the high regard and affection of the profession at home and abroad.]

QUESTIONS.

Who was elected governor in 1902? What can you say of the uniform school-book law? What appointments were made to the Supreme Court? What can you say of the regulations about the hire of convicts? What progress has been made in education in the State?

TOPICS.

1. Election of governor.
2. Changes in penal system.
3. Uniform school-book law.
4. Progress in education.

CHAPTER LXVII.

ADMINISTRATION OF GOVERNOR HOKE SMITH.

"I would have the boys and girls of Georgia furnished an opportunity to make useful men and women. Nearly every white child of the tenant farmer and nearly every white child of the poorest day laborer carries in his veins the blood of a revolutionary hero. He has the foundation on which to build a manhood unsurpassed in capacity and usefulness. We must not permit this germ of greatness to be smothered by lack of opportunity."—HOKE SMITH.

IN 1906 Hoke Smith was elected governor of Georgia. There were four other candidates in the field for the nomination, but Governor Smith won a sweeping victory. He was inaugurated June 29, 1907.

GOVERNOR HOKE SMITH.

The legislature of 1907 had for its consideration many reforms which had been advocated by the governor in his campaign, as well as urged by the people and press of the State. The first measure of importance was a prohibition bill making illegal the manufacture and sale of intoxicating liquors within the State. Governor Smith, while a local optionist, had stated in his campaign that he would sign such a bill, and it was approved August 1, 1907, and went into effect Jan. 1, 1908. Thus Georgia became a prohibition state.

A bill was also passed enlarging the powers of the railroad commission and increasing the membership from three to

five. The newly organized commission ratified the action of the old commission reducing railroad passenger fares, and successfully defended that action before the courts. Much was done also in requiring railroads to improve their property, and protect their passengers from accident. Among other acts of the new commission was one to prohibit the giving of free passes.

An improved election law was passed by the legislature whereby the ignorant and purchasable element, particularly of the negro population, was disqualified from voting.

Other reform measures were taken up by the legislature of 1908. Among them may be mentioned a primary election law providing that no primary should be held except within sixty days of the general election; a law to prevent corporations from contributing directly or indirectly to campaign funds; a law for the publication of campaign expenses; a law for providing for the protection and purifying of registration lists, so that none but legally registered citizens shall vote.

The most important question that came before the session of 1908 was the disposition of the State convicts. For many years after the war the convicts of Georgia were leased to private companies, but several years ago the law was changed so that the State employed all the guards, wardens, and other officials and simply sold the labor of the convicts. This system, while an improvement over the direct leasing plan, developed defects that caused a widespread demand for the abolishment of the lease system.

No action in the convict question was taken at the regular session of the legislature. The governor called an extra session that sat for four weeks in the summer considering many measures that looked to the abolishing of the lease system and the disposition of the convicts afterward.

On September 19, 1908, the house of representatives and senate agreed on a bill, providing for the abolishing of all

convict leases, and for the working of convicts on the roads, and on the State Farm. Those who cannot be so employed are to be disposed of in such manner as the prison commission may direct, with the consent and approval of the governor.

The extra session passed other important measures. One of them was for a tax of $200 a year on all dealers in imitation beers and other drinks bearing a small percentage of alcohol, but not prohibited by the prohibition laws. This tax is to be used in inaugurating the new system of handling the convicts. A bill known as the parole bill, designed to encourage convicts to reform, was also passed, as well as a bill providing for juvenile courts to dispose of young offenders.

Governor Smith urged the legislature to take measures for extending the Western and Atlantic Road to the ocean. The matter finally took the shape of a resolution for the appointment of a commission to investigate the proposition. A resolution was also passed providing for an investigation of the matter with a view to working convicts on the grading of the road.

In the summer of 1908 the city of Augusta was invaded by a most damaging flood of water from the Savannah River. For two days the town was inundated, the water standing from three to ten feet deep over half the city. The damage was estimated at nearly a million dollars. Relief committees took charge of the distressed people and generous assistance was sent from many sources. The brave city at once began to repair its damages and take measures for a permanent protection from the floods.

At the close of Governor Smith's term of office he was opposed for the nomination by Jos. M. Brown of Marietta. After a vigorous campaign Brown was nominated at the primary held in June, 1908, and at the general election in October was chosen the next governor of Georgia.

After serving two years, Governor Brown was opposed for re-*election* by Ex-Governor Hoke Smith. The issues of the cam-

paign were mainly those of the preceding election, but the result was different. Governor Brown was defeated in the primary, and in the general election in October, 1910, Hoke Smith was again chosen governor of Georgia. He was duly inaugurated at the opening of the legislature in June, 1911.

Here our history comes to a close for the present. We have reviewed the glorious past of our State; we have traced its development and followed its progress to prosperity through many difficulties and dangers. The little seed planted at Yamacraw has grown to be a great tree. The small settlement has swelled into an Empire State. With patriotic pride we contemplate its present glory, and anticipate still greater achievements, tending to the increased welfare and happiness of our people in the time to come.

HON. JOS. M. BROWN.

[Jos. M. Brown, the son of Joseph E. Brown, the war governor of Georgia, was born in Canton, Cherokee County, December 28, 1851. He received his education in Milledgeville and Atlanta, being graduated at the Oglethorpe University in 1872. He was admitted to the bar in 1873, but, abandoning the practice of law, he went into railroad business. He was appointed railroad commissioner of Georgia by Governor Terrell in 1904. From this office he was removed by Governor Hoke Smith in 1907. Shortly afterward he entered the race against Governor Smith for the nomination as the Democratic candidate for governor.]

TEST QUESTIONS.

What white men were the first to explore the coast of Georgia? What was the first map of the coast? Describe De Soto's march through Georgia. What nation had the first title to Georgia? On what was the English claim based? Who made the first efforts to colonize Georgia?

Describe the original territory granted in 1732. For whom was the colony intended? For whom named? Tell what you can of Oglethorpe. What were his reasons for founding Georgia? When and where was the first settlement? What can you say of Tomochichi? Name the first places settled in Georgia. Of what nations were the first settlers?

What caused the Spanish war? What place did Oglethorpe attack, and with what result? What was the result of the Spanish invasion of Georgia? Who was George Whitefield, and what did he do? Name the first two counties. When was slavery allowed? What was the Bosomworth claim? What can you say of the Midway Settlement?

Who were the trustees of the colony, and how long did they hold office? Name the three governors of the colony. Name the three governors of the Royal Province. When and where did the first legislature meet? When and how was the territory extended to the St. Mary's River?

How was the Stamp Act received in Georgia? Who were the Liberty Boys? How did Liberty County get its name? Tell about the arrest of Governor Wright. Who signed the Declaration of Independence on behalf of Georgia? What was the date of the first Constitution of Georgia? Name the first eight counties. Who was the first governor of the State of Georgia? Tell about the fall of Savannah. What place was used for the capital after the fall of Savannah? What other place? What two famous soldiers were killed in the attack upon Savannah? What French general aided the Americans? Did the attack succeed? Tell something about Nancy Hart. When did the British leave Georgia?

What was the original endowment of the University? What are the two oldest academies in Georgia? When and how did Georgia enter the Union? Who signed the Constitution on behalf of Georgia? Who were the first two United States senators? Tell about the invention of the cotton gin. Tell about the Yazoo Fraud. When was the University opened?

What was the cession of 1802? What is meant by Land Lottery and

Head Rights? What place became the capital in 1807? Describe Longstreet's steamboat and the steamship *Savannah*. How did the name Georgia Cracker originate? Describe tobacco rolling.

What Georgia statesman was a candidate for President in 1825? Who were the two statesmen whose names were given to political parties in Georgia? Who was the first governor elected by the people? Describe the murder of McIntosh. Where was gold discovered in north Georgia? When were the last of the Indians removed from Georgia? Name some Georgians famous in the Mexican War.

When was Mercer University founded? Emory College? Wesleyan Female College? What was the first railroad in Georgia? When was the Supreme Court organized, and who were the judges? Tell of the discovery of the use of ether in surgical operations. What was the Georgia Platform? What was the first military act of the Civil War in Georgia?

What Georgia general was killed at Manassas? At Fredericksburg? Describe the battles from Chattanooga to Atlanta. What happened at Atlanta? Describe the March to the Sea. What was the origin of Memorial Day? What is meant by Reconstruction? When was Georgia readmitted to the Union? When was the present Constitution adopted?

SEARCH QUESTIONS.

Who was called the first gentleman of Georgia?

Who was "the Morning Star of Liberty"?

To whom was a medal marked *in arduis fidelis* given?

What governors died in office?

What famous general was a pupil of Oglethorpe?

Where did Oglethorpe live in Georgia?

What governor of Georgia was "drawn and quartered" by the British?

What Georgia statesman attracted the special notice of Napoleon?

Who was the author of the scheme for educating girls?

Who was called the American Cicero?

What great preacher went to school after his marriage?

Who said, "Come and take it," and to what did he refer?

What two governors of Georgia, when young men, came near being hanged as spies?

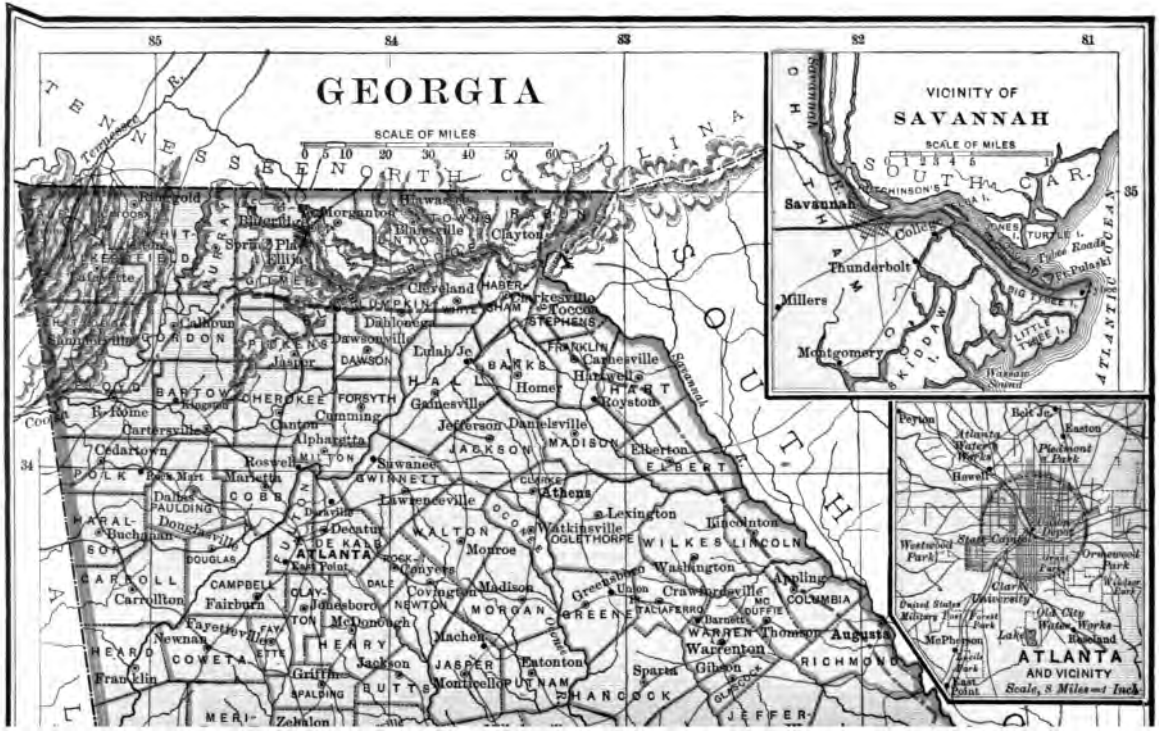
Who was called the Demosthenes of the Mountains?

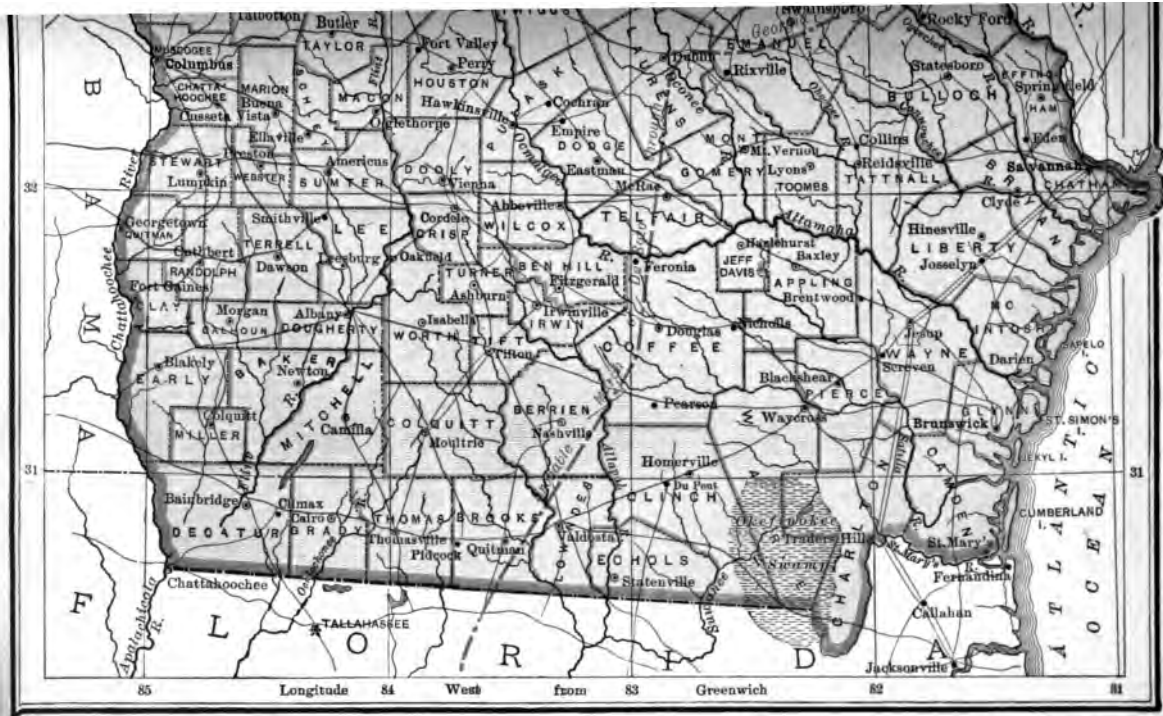
How much damage was done on the March to the Sea?

How many men did Georgia send to the Civil War?

What suggested the song "Hold the Fort"?

Who said, "I am here to defend the fort, not surrender it"?
Who said, "I go to illustrate Georgia"?
What statesman was binding wheat when nominated for governor?
Name each place that has been capital of Georgia.
Who said, "I will surrender, but not compromise"?
What Creek chief was first cousin of a Georgia governor?
What Georgia judge was a great wit?
Who was called the father of common schools in Georgia?
Who were the first miners in North Georgia?
How old was Oglethorpe when he came to Georgia?
How many families and how many persons were in the first shipload of colonists?
What was the second settlement in Georgia?
When did 600 Georgians put to flight an army of 5,000 men?
Who was Mary Musgrove?
How old was Oglethorpe when he died?
What was the name of the first commercial house in Georgia?
For what governor did the legislature purchase provisions?
For how long did the legislature meet in Augusta?
What is Blackshear's road?
When did twenty-eight men kill 180 and wound as many more?
When was the first election of governor by the people?
Who wrote the Georgia Platform?
Who wrote the Ordinance of Secession?


GEORGIA
SCALE OF MILES
0 5 10 20 30 40 50 60
85
84
83
82
81
35
34
TENN. R.
Tennessee
NORTH CAROLINA
SOUTH CAR.
ATLANTIC OCEAN
Savannah
Thunderbolt
Millers
Montgomery
Skidaway I.
Wilmington I.
Little Tybee I.
Big Tybee I.
Tybee Roads
Ft. Pulaski
Warsaw Sound
Hutchinson's I.
Colleton
Turtle R.
Ogeechee
VICINITY OF
SAVANNAH
SCALE OF MILES
1 2 3 4 5
Chattanooga
Rossville
Lafayette
Summerville
Trion
Rome
Cartersville
Cedartown
Dallas
Jasper
Canton
Alpharetta
Roswell
Marietta
Dalton
Calhoun
Resaca
Dalton
Tunnel Hill
Varnell
Tunnel
Cleveland
Dahlonega
Dawsonville
Lumpkin
Habersham
Rabun
Towns
Union
Blairsville
Clayton
Toccoa
Stephens
Franklin
Carnesville
Harwell
Royston
Homer
Barrow
Gainesville
Hall
Forsyth
Cherokee
Bartow
Floyd
Polk
Paulding
Douglas
Cobb
Fulton
Gwinnett
Lawrenceville
Jackson
Jefferson
Danielsville
Madison
Elberton
Hart
Athens
Clarke
Oconee
Lexington
Watkinsville
Oglethorpe
Wilkes
Lincoln
Lincolnton
Washington
Walton
Monroe
Conyers
Rockdale
Dekalb
Decatur
Atlanta
East Point
Fulton
Campbell
Fairburn
Carroll
Carrollton
Douglas
Coweta
Fayette
Fayetteville
Newnan
Heard
Franklin
Clayton
Jonesboro
Henry
McDonough
Griffin
Spalding
Butts
Jackson
Monticello
Jasper
Putnam
Eatonton
Morgan
Madison
Covington
Newton
Greene
Union
Crawfordsville
Taliaferro
Barnett
Warren
Warrenton
Gibson
Sparta
Hancock
Glascock
Jefferson
Thomson
Augusta
Richmond
Columbia
Appling
Duffie
Big
Peyton
Bolton
Atlanta Water Works
Howell
Piedmont Park
Easton
Westwood Park
State Camp
Ormewood Park
Lynhurst Park
Clark University
Oak City Water Works
Lake
McPherson
Baseland
East Point
ATLANTA
AND VICINITY
Scale, 8 Miles = 1 Inch



Talbotton
Butler
TAYLOR
Fort Valley
Perry
HOUSTON
Hawkinsville
Cochran
Empire
DODGE
Eastman
McRae
Dublin
Rixville
EMANUEL
Swainsboro
Rocky Ford
Statesboro
BULLOCH
Springfield
HAM
Eden
Savannah
CHATHAM
Columbus
CHATTAHOOCHEE
MARION
Buena Vista
Cusseta
Ellaville
Preston
STEWART
Lumpkin
WEBSTER
Americus
SUMTER
Oglethorpe
MACON
DOOLY
Vienna
Abbeville
WILCOX
TELFAIR
MONTGOMERY
Mt. Vernon
Lyons
TOOMBS
Collins
Reidsville
TATTNALL
Clyde
Georgetown
QUITMAN
Cuthbert
RANDOLPH
Fort Gaines
CLAY
Smithville
TERRELL
Dawson
Leesburg
LEE
Cordele
CRISP
Oakfield
TURNER
Ashburn
BEN HILL
Fitzgerald
Feronia
JEFF DAVIS
Hazlehurst
Baxley
APPLING
Brentwood
Hinesville
LIBERTY
Jesselyn
Morgan
CALHOUN
Albany
DOUGHERTY
Isabella
WORTH
TIFT
Tifton
IRWIN
Irwinville
Douglas
COFFEE
Nicholls
Jesup
WAYNE
Screven
MC INTOSH
Darien
SAPELO
Blakely
EARLY
BAKER
Newton
MITCHELL
Camilla
COLQUITT
Moultrie
BERRIEN
Nashville
Pearson
Blackshear
PIERCE
Waycross
Brunswick
GLYNN
ST. SIMON'S
JEKYL I.
Colquitt
MILLER
Homerville
Du Pont
CLINCH
Bainbridge
DECATUR
Climax
Cairo
GRADY
THOMAS
Thomasville
Pidcock
BROOKS
Quitman
LOWNDES
Valdosta
ECHOLS
Statenville
Okefenokee
Traders Hill
CHARLTON
CAMDEN
St. Mary's
Fernandina
CUMBERLAND I.
Callahan
Jacksonville
Chattahoochee
TALLAHASSEE
Apalachicola R.
Chattahoochee River
Flint R.
Ocmulgee R.
Oconee R.
Altamaha R.
Ohoopee R.
Canoochee R.
Sabine R.
Satilla R.
St. Mary's R.
Swamp
BAMA
FLORIDA
ATLANTIC OCEAN
32
31
85
Longitude
84
West
from
83
Greenwich
82
81

APPENDIX.

TOPOGRAPHY.

POSITION.—Georgia lies between 30° 21′ 39″ and 35° north latitude, and 80° 51′ 43″ and 84° 45′ 21″ longitude west from Greenwich; or 3° 48′ 41″ and 7° 42′ 19″ west from Washington city. Its greatest length from north to south is 320 miles, and its greatest width from east to west, 254 miles.

BOUNDARY.—The State is bounded on the north by Tennessee and North Carolina, on the east by the Savannah River and the Atlantic Ocean, on the south by Florida, and on the west by Alabama and Florida.

AREA.—The land area of Georgia is 58,980 square miles, or 37,747,200 acres. The water surface is 495 square miles, giving a total area of 59,475 square miles. It was the largest of the "thirteen original" States. It now ranks eighteenth in size in the United States. Its geographical centre is about twenty miles below Macon.

SURFACE.—The surface is mountainous in the northern part, low and level in the middle and southern parts, and low and swampy along the coast and the Florida border. Northeast Georgia has the greatest elevation above the sea, the average being 1,500 feet. There are peaks that rise as high as 5,000 feet. These belong to the Blue Ridge and Alleghany Mountains. Sitting Bull, the middle summit of Nantahala, in Towns County, is 5,046 feet above sea level, and Mona, the east summit of Nantahala, is 5,039 feet above sea level. In this section are the beautiful Falls of Toccoa and Tallulah and the famous Valley of Nacoochee. Northwest Georgia is not so mountainous as northeast. Its average elevation is 750 feet above the sea. Middle Georgia, extending from the Savannah to the Chattahoochee River, has an average elevation of 750 feet. The lands are generally level. Southwest Georgia is of a greatly rolling surface, free from rocks, and is covered with vast tracts of long-leaf pine, commonly called "Georgia pine." Southeast Georgia has a low, level surface, averaging 175 feet above sea-level. In the southeast corner is Okefinokee swamp. It has a circumference of 180

miles. It is filled with pools and small islands, and is the home of snakes and alligators.

RIVERS.—The watershed which extends from the northeast corner of the State down to Atlanta, divides the rivers, sending some to the Gulf of Mexico and others to the Atlantic Ocean. There are upwards of fifty streams large enough to be classed as rivers. It is estimated that the water-power of the State would be sufficient for the manufacture of all the cotton goods in the world, or to grind all the grain produced in the United States. Following is a list of the chief navigable rivers:

NAME.	NAVIGABLE TO
Savannah	Augusta
Ogeechee	Louisville
Oconee	Milledgeville
Ocmulgee	Macon
Flint	Albany
Altamaha	Entire length
Chattahoochee	Columbus

COAST.—The coast is very irregularly indented. It has a shore-line on the Atlantic Ocean of 480 miles, running a southwest direction for 128 miles.

HARBORS.—The principal seacoast harbors are Savannah, Darien, Brunswick, and St. Mary's. The bar of Savannah has nineteen feet of water; that of Sapelo, at the entrance of the Altamaha, fourteen feet; Brunswick, seventeen feet; St. Mary's, fourteen feet. An extensive shipping trade is carried on at Brunswick and Savannah.

ISLANDS.—The coast is skirted by a number of islands which are low, flat, and sandy. Cumberland Island, thirty miles long, is covered with magnificent oak forests, and lined with palms, palmettos, and shrubbery. The other principal islands are Ossabaw, St. Catherine's, Sapelo, St. Simon's, and Jekyl.

SOUNDS.—The principal sounds are St. Andrew's, St. Simon's, Altamaha, Doboy, Sapelo, St. Catherine, and Ossabaw.

CLIMATE.—The mountains, hills, plains, and lowlands of Georgia give to the State nearly every variety of climate. The summer's heat and the *winter's cold are tem*pered by breezes from the Gulf of Mexico and the

Atlantic Ocean. The average summer temperature in the northern part of the State is 72°; the winter temperature, 32°. In the southern sections the summer temperature is 80°; the winter, 52°. The average annual temperature of the State is 60°.

So mild and equable is the climate that Georgia is a favorite resort for invalids from Northern States, who in the winter time come in large numbers to Savannah, Augusta, Thomasville, and other places.

RAINFALL.—The average rainfall is about forty-eight inches per year. The prevailing winds come from the southeast and southwest and distribute the rains, thus preventing severe drought.

SOIL.—In the northern part of the State the soil is composed of disintegrated limestones and shales of the silurian and carboniferous formations, decomposed granites, gneiss, and schist. In the central portion of the State the red clays and gray soils are composed of disintegrated feldspar, with potash. The red hills of Georgia have become famous. In southern Georgia the soil is of limestone, marl, rich alluvium, and sandy tracts. In southeast Georgia the soil is loam or sand, with a red or yellow clay subsoil. These soils are all productive, and yield large crops.

PRODUCTS.

AGRICULTURAL PRODUCTS.—There is nothing grown in any State of the Union, with the exception, perhaps, of Florida, that cannot be raised in Georgia. Cotton is the great agricultural product of the State. Before the Civil War one-sixth of the total cotton crop of the United States was grown in Georgia. For four seasons closing with that of 1907–1908 the Georgia farmers planted an annual average of 4,337,472 acres, with an annual production of 1,830,320 bales of cotton with an average annual value of $100,078,228. For the season of 1907–8 there were planted 4,774,000 acres, with a product of 1,901,576 bales and a value of $116,790,680. The corn crop of the State averages 50,000,000 bushels, worth $36,000,000. Three States, Georgia, Florida, and South Carolina, produce 86,000 bales of sea island cotton, of which Georgia produces 41,000 annually.

Other agricultural products of the State are corn, oats, wheat, rice, rye, wool, flax, hemp, jute, silk, sugar-cane, tobacco, tea, indigo, peas, beans, and all kinds of garden vegetables. In the southern portion of the State vegetables can be raised in winter.

FRUITS.—Fruits of all kinds known in the temperate zone grow in Georgia. The apple, peach, pear, grape, fig, pomegranate, cherry, plum, raspberry, strawberry, and olive are produced in large quantities. Georgia is the greatest peach state of the Union, having in 1908 about 18,000,000 trees in bearing. Oranges, bananas, lemons, and pecans grow on the coast. Watermelons and cantaloupes, famous for kind and quality, are raised in the midland districts.

The value of all the farm products of Georgia for 1907 was over $200,000,000.

WOOD.—About two hundred and thirty varieties of wood grow in Georgia. There are extensive pine forests on the coast and in the southern districts, and the live oaks in the vicinity of Brunswick supply the most valuable ship timber found in the United States. This industry is worth over $2,000,000 annually. Georgia pine is much esteemed and largely used for doors, mantels, staircases, and other house furnishings. It has a beautiful color of rich red or yellow. There is an inexhaustible supply of the finest kind of this wood in the forests of middle and lower Georgia. In the swamp there are immense quantities of cypress, used for shingles; palmetto, used for wharf piles, and other fine woods. Its timber is valued at $5,000,000. Besides these, the woods and forests of Georgia produce in large abundance walnut, poplar, oak of all kinds, chestnut, hickory, cedar, sweet gum, ash, elm, maple, beech, magnolia, cottonwood, and sycamore.

The capital invested in the lumber business is over $12,000,000.

PASTURAGE.—The variety of grasses native to Georgia is very large, offering the best facilities for sheep and cattle raising. Blue grass, Bermuda grass, the celebrated wire grass, and other varieties, and many kinds of peas, and young cane, afford a rich pasturage for cattle. In Georgia stock-raising and dairy-farming are rapidly becoming industries of importance. The value of live stock in the State is over $70,000,000.

MINERALS.—The gold-producing region of the State is chiefly in the counties of Lumpkin, Habersham, Forsyth, and Hall. Before gold was discovered in California the "placers" in northern Georgia were worked with much profit, the metal being found in the streams and mixed up with the quartz rocks of the hills. In 1853 the Dahlonega mint coined gold bullion of nearly half a million dollars' value. At present the gold-mining produces about $80,000 annually. In the northwest corner of the State, along the ridges between the Alabama and Tennessee borders, there are immense beds of coal. Iron ore is also found in this district. The annual output of coal and iron amounts to

many thousand tons. Stone Mountain, in DeKalb County, twenty miles from Atlanta, is the largest mass of rock in the world. It has quarries of granite that makes the best paving for streets, as well as excellent building stone. Copper, silver, and lead ores are found in the Cohutta Mountains. In the Blue Ridge is a vein of marble. Other minerals of North Georgia are manganese, kaolin, asbestos, mica, and soapstone, besides the diamond, ruby, amethyst, and opal, which have been found in the mountains. The total capital invested in mining in the State is about $20,000,000. The annual output of all the minerals of Georgia is about $8,000,000.

INDUSTRIES.

MANUFACTURES.—The capital invested in manufactures in Georgia is $135,000,000, of which the amount invested in the 138 cotton mills is more than $70,000,000 and in the manufacture of cotton seed products and in ginneries is above $13,000,000. The factories consume more than a half million bales of cotton, and employ about 30,000 hands. All the manufacturing industries of the State employ over 100,000 hands, with an annual output of over $150,000,000.

COMMERCE.—The favorable location, extensive railroad system, and the numerous navigable streams of Georgia, give it great advantages for commerce. Situated between the North and Southwest and between the West and Atlantic harbors, traffic between those sections passes through the State. Atlanta and Savannah are the principal commercial centres. The chief articles of export are cotton, lumber, rice, fruits, and grain. The value of the foreign commerce of the State is estimated at $80,000,000 a year. Six hundred vessels of over 2,000 tons burden are employed in the foreign and coast trade.

RAILROADS.—There are in Georgia over 7,000 miles of railroad, the value of which is $124,000,000. Every part of the State is intersected by lines of railroad, and thus opened to commerce. Atlanta, Columbus, Macon, Savannah, and Augusta are the chief railroad centres.

The taxable property of Georgia is over $705,000,000. Its real valuation is $1,400,000,000.

CIVIL GOVERNMENT.

CONSTITUTION.—The present constitution was adopted in 1877. Among its most important provisions are the following:

RIGHTS OF CITIZENS.—No person shall be deprived of life, liberty, or property, but by due process of law; the writ of *habeas corpus* shall not

be suspended; no person shall be prohibited from holding any public office on account of his religion; slavery is prohibited; there shall be no imprisonment for debt; people shall have the right to keep and bear arms; all lotteries are prohibited; lobbying is a crime.

ELECTORAL LAWS.—All elections shall be by ballot. With the exception of penitentiary convicts and insane persons, every male citizen of the United States, twenty-one years of age, resident of the State one year, and of the county six months, and having paid all taxes required of him, is entitled to vote at all elections. Persons holding public money unaccounted for, or convicted of duelling, shall not be eligible to office.

THE LEGISLATURE.—The general assembly consists of two houses: the senate and the house of representatives. The senate has forty-four members, and the house one hundred and eighty-four; the members of both are elected every two years. The sessions of the assembly are annual, beginning on the fourth Wednesday in June, and continuing for fifty days. The senate is presided over by a president, and the house of representatives by a speaker, each elected from and by the members of each house respectively.

The legislature has the power of making laws. Every bill, before it becomes a law, must be read three times, on three separate days, in each house, and then receive a majority of the votes of the members present, and be approved by the governor. The governor may veto, or disapprove of a bill. In this case it may still become law by having a two-thirds majority in both houses. The salary of members of the assembly is $4 per day, and they are allowed ten cents a mile for travelling expenses to and from each session.

EXECUTIVE POWER.—The officers of the executive department are the governor, secretary of State, comptroller-general, and treasurer. The governor is elected every two years, and he has a salary of $5,000 per annum. He must be not under thirty years of age, must be a citizen of the United States for fifteen years, and of the State for six years. In case of the death of the governor, the president of the senate occupies the office until the next election. The governor is the commander-in-chief of the army and militia of the State. He has the power of granting pardons, except for treason and in cases of impeachment, and has the power of vetoing bills passed by the general assembly.

JUDICIARY.—The judicial powers are vested in one supreme court, twenty-three superior courts, courts of ordinary, and courts in each county. The supreme court consists of a chief justice and five associate *justices*, elected by the people for a term of six years. It sits only

at the capital, and on appeal corrects errors of the inferior courts. For each of the twenty-three judicial circuits there is a superior court judge elected by the people for a term of four years. These must sit at least twice a year in each county. In some of the larger cities there is a city court, which ranks with the superior court within the corporation limits. The court of ordinary in each county has charge of the probation of wills and the management of estates, and usually has jurisdiction over roads, bridges, public buildings, etc., but in some counties these are in the hands of the county commissioners. There are one justice of the peace and one notary public in each militia district.

TAXES may be levied by the general assembly for support of the State government; for educational purposes; and to pay interest and principal of the public debt.

Georgia has two senators and eleven representatives in the Congress of the United States. The senators are elected by the people for a term of six years. The representatives are chosen every two years by the people, one from each congressional district.

The State is divided into eleven congressional districts, forty-four senatorial districts, 146 counties, and about 1,400 militia districts. In case of war each militia district would be expected to furnish a certain number of men for service.

The convicts of the State were formerly held at labor in a penitentiary at Milledgeville. They are by recent legislation subject to the demand of counties for work upon the public roads. Formerly they were leased to private parties, but that system has been abolished (see the account on pages 355, 356).

POPULATION.—The population of Georgia, according to the census of 1900, was 2,216,331, of whom about forty-seven per cent. were colored. The following table shows the increase since 1790:

1790	1800	1810	1820	1830	1840
82,548	162,101	258,433	340,433	576,828	691,892
1850	**1860**	**1870**	**1880**	**1890**	**1900**
906,185	1,057,286	1,184,109	1,542,180	1,837,353	2,216,331

CESSIONS OF LAND BY THE INDIANS.

The land which George II. granted to the Trustees was occupied by the Indians, and it was necessary for Oglethorpe to secure a grant from them also before settlements were made. As more land was needed it was bought from the Indians by the king as long as Georgia was a province of England. After the Revolution, the United States recognized the Indian titles just as England had done, and though Georgia nominally owned all the land within her boundaries, the Indians were in possession, and the people of Georgia could not settle on any land until it had been ceded by these Indians.

The boundaries of the land which the Trustees bought from the Indians were not definitely fixed until the Conference of Augusta in 1763. Ten years later, 1773, the king acquired an additional tract lying along the Savannah River north of Augusta. The western boundary of this tract and the boundary line established in 1763 mark the western limit of the land in possession of the State at the end of the Revolution.

The treaty of 1783 was made between Georgia and the Creek and Cherokee Indians. By this treaty the State acquired the land marked with this date. The State of Georgia also made a treaty at Galphinton in 1785 by which certain other lands were acquired, but under the Articles of Confederation the United States had the sole right to make treaties with other nations, and the Indians were nations. For this reason Georgia's treaty was declared void. The boundary line fixed between the Creeks and the Cherokees and Georgia in 1783 was confirmed by a treaty with the United States at Hopewell in 1785, but the Indians refused to confirm the treaty of Galphinton. Thus for a time Georgia lost the use of a large tract of land, and there was great dissatisfaction in the State.

In 1790 the United States Government made a treaty in New York City, with the Creek Indians, by which the cession of 1783 was confirmed, and an additional tract of land lying between the Oconee and the Ogeechee rivers was secured for the State of Georgia.

The United States Government, by subsequent treaties, secured from the Indians possession of all their remaining lands in Georgia, and delivered these lands to the State. The United States paid the Indians for these lands, in consideration of Georgia's cession of her western territory in 1802. The only tract of land for which the United States did not pay was the cession of 1814, at Fort Jackson. This large body of land was ceded by the Creeks to the United States as a war indemnity, in compensation for expenses of the war and losses incurred during its progress.

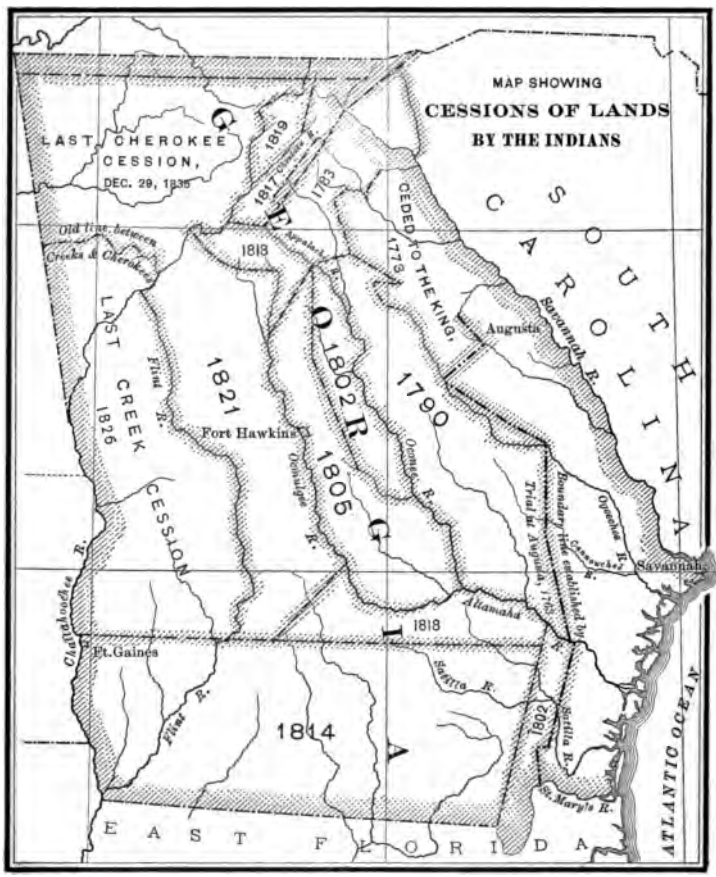
The date of each successive treaty between the United States and the Indians, together with the boundary lines of the tract ceded, are given on the accompanying map. Each of these cessions is mentioned in the text of the History in the chapter giving other events of the year in which the treaty was made.

The price paid to the Creeks in 1826 for the cession of all their remaining lands in the State of Georgia was as follows: $217,600 was paid in cash, and all improvements on their Georgia lands were to be appraised and paid for. A perpetual annuity of $20,000 was to be paid to the nation, and lands were to be bought for them in the Indian Territory. The expenses of their removal to those lands were to be defrayed by the Government; "subsistence" was furnished them for twelve months; an agent and interpreter, a blacksmith and a wheelwright, were provided for them by the United States.

The price paid the Cherokees in 1835 for all their lands east of the Mississippi River, including lands in Tennessee and Alabama, was $5,000,000, with an additional sum of $300,000 as an allowance for "spoliations" by citizens of the United States on Cherokee property. Seven million acres of land which had already been given them in Indian Territory in 1828 were confirmed to them free of cost; 800,000 acres were added, and

they were further given "a perpetual outlet west, and free and unmolested use of all the country west of the western boundary of the said seven million acres, as far west as the sovereignty of the United States and their right of soil shall extend."

The United States also agreed to pay the expense of their removal west, and to fur-



nish them rations for one year. All improvements on the lands which they ceded were to be valued by commissioners and paid for. The outlet referred to above has ever since been known as "Cherokee Outlet," and is now a part of Oklahoma, having been bought from the Cherokees by the United States for $5,000,000.

LIST OF COUNTIES

Showing their Names, for whom named, the County Seat, when laid out, and Population.

Name.	*For Whom.*	*County Seat.*	*Laid out.*	*Population.*
Appling	Col. Dan'l Appling	Baxley	1818	12,318
Baker	Col. John Baker	Newton	1825	7,973
Baldwin	Abraham Baldwin	Milledgeville	1803	18,354
Banks	Dr. Richard Banks	Homer	1858	11,244
Bartow	Gen. Francis Bartow	Cartersville	1861	25,388
Ben Hill	Benj. H. Hill	Fitzgerald	1907	11,863
Berrien	John M. Berrien	Nashville	1856	22,772
Bibb	Dr. W. W. Bibb	Macon	1822	56,646
Brooks	Preston L. Brooks	Quitman	1858	23,832
Bryan	Jonathan Bryan	Bryan	1793	6,702
Bullock	Arch. Bullock	Statesboro	1796	26,464
Burke	Edmund Burke	Waynesboro	1777	27,268
Butts	Captain Sam. Butts	Jackson	1825	13,624
Calhoun	John C. Calhoun	Morgan	1854	11,334
Camden	Earl of Camden	St. Mary's	1777	7,690
Campbell	Duncan G. Campbell	Fairburn	1828	10,874
Carroll	Charles Carroll	Carrollton	1826	30,855
Catoosa	Catoosa	Ringgold	1853	7,184
Charlton	R. M. Charlton	Trader's Hill	1854	4,722
Chatham	Earl of Chatham	Savannah	1777	79,690
Chattahoochee	Chattahoochee River	Cusseta	1854	5,586
Chattooga	Chattooga River	Summerville	1838	13,608
Cherokee	Cherokee Indians	Canton	1832	16,661
Clarke	Gen. Elijah Clarke	Athens	1801	23,273
Clay	Henry Clay	Fort Gaines	1854	8,960
Clayton	A. S. Clayton	Jonesboro	1858	10,453
Clinch	Gen. Duncan S. Clinch	Homerville	1850	8,424
Cobb	John Cobb	Marietta	1832	28,397
Coffee	Gen. John Coffee	Douglas	1854	21,953
Colquitt	Walter T. Colquitt	Moultrie	1856	19,789
Columbia	Christopher Columbus	Appling	1790	12,328
Coweta	Chief of the Cowetas	Newnan	1826	28,800
Crawford	Wm. H. Crawford	Knoxville	1822	8,310
Crisp	Charles F. Crisp	Cordele	1905	16,423
Dade	Maj. Francis Dade	Trenton	1837	4,139
Dawson	Wm. C. Dawson	Dawsonville	1857	4,686
Decatur	Stephen Decatur	Bainbridge	1823	29,045
De Kalb	Baron De Kalb	Decatur	1822	27,881
Dodge	Wm. E. Dodge	Eastman	1870	20,127
Dooly	Col. John Dooly	Vienna	1821	20,554
Dougherty	Charles Dougherty	Albany	1853	16,035
Douglas	Stephen A. Douglas	Douglasville	1870	8,953
Early	Gov. Peter Early	Blakely	1818	18,122
Echols	Robert M. Echols	Statenville	1858	3,309
Effingham	Lord Effingham	Springfield	1777	9,971
Elbert	Gov. Sam. Elbert	Elberton	1790	24,125

LIST OF COUNTIES—*Continued.*

Name.	*For Whom.*	*County Seat.*	*Laid out.*	*Population.*
Emanuel	Gov. David Emanuel	Swainsboro	1812	25,140
Fannin	Col. J. W. Fannin	Morganton	1854	12,574
Fayette	Gen. La Fayette	Fayetteville	1821	10,966
Floyd	Gen. Floyd	Rome	1832	36,736
Forsyth	Gov. John Forsyth	Cumming	1832	11,940
Franklin	Benjamin Franklin	Carnesville	1786	17,894
Fulton	Robert Fulton	Atlanta	1853	177,733
Gilmer	Gov. Geo. R. Gilmer	Ellijay	1832	9,237
Glascock	Gen. Thos. Glascock	Gibson	1857	4,669
Glynn	John Glynn	Brunswick	1777	15,720
Gordon	Wm. W. Gordon	Calhoun	1850	15,861
Grady	Henry W. Grady	Cairo	1905	18,457
Greene	Gen. Nat. Greene	Greensboro	1786	18,512
Gwinnett	Gov. Button Gwinnett	Lawrenceville	1818	28,824
Habersham	Joseph Habersham	Clarkesville	1818	10,134
Hall	Gov. Lyman Hall	Gainesville	1818	25,730
Hancock	John Hancock	Sparta	1793	19,189
Haralson	Hugh A. Haralson	Buchanan	1856	13,514
Harris	Charles Harris	Hamilton	1827	17,886
Hart	Nancy Hart	Hartwell	1853	16,216
Heard	Stephen Heard	Franklin	1830	11,189
Henry	Patrick Henry	McDonough	1821	19,927
Houston	Gov. John Houstoun	Perry	1821	23,609
Irwin	Gov. Jared Irwin	Irwinville	1818	10,461
Jackson	Gov. Jas. Jackson	Jefferson	1796	30,169
Jasper	Sergeant Jasper	Monticello	1812	16,552
Jeff. Davis	Jefferson Davis	Hazelhurst	1905	6,050
Jefferson	Thomas Jefferson	Louisville	1796	21,379
Jenkins	Gov. Chas. J. Jenkins	Millen	1905	11,520
Johnson	Gov. H. V. Johnson	Wrightsville	1858	12,897
Jones	Hon. James Jones	Clinton	1807	13,103
Laurens	Col. John Laurens	Dublin	1807	35,501
Lee	Richard H. Lee	Leesburg	1826	11,679
Liberty	See page 94	Hinesville	1777	12,924
Lincoln	Gen. Benj. Lincoln	Lincolnton	1796	8,714
Lowndes	Wm. J. Lowndes	Valdosta	1825	24,436
Lumpkin	Gov. Wilson Lumpkin	Dahlonega	1838	5,444
McDuffie	Geo. McDuffie	Thomson	1871	10,325
McIntosh	McIntosh Family	Darien	1793	6,442
Macon	Nath. Macon	Oglethorpe	1837	15,016
Madison	Jas. Madison	Danielsville	1811	16,851
Marion	Gen. Francis Marion	Buena Vista	1827	9,147
Meriwether	Gen. David Meriwether	Greenville	1827	25,180
Miller	Andrew J. Miller	Colquitt	1856	7,986
Milton	Homer V. Milton	Alpharetta	1857	7,239
Mitchell	Gov. David B. Mitchell	Camilla	1857	22,114
Monroe	Jas. Monroe	Forsyth	1821	20,450
Montgomery	Gen. Rich. Montgomery	Mt. Vernon	1793	19,638
Morgan	Gen. Dan'l Morgan	Madison	1807	19,717
Murray	Thos. W. Murray	Spring Place	1832	9,763

LIST OF COUNTIES—*Continued.*

Name.	*For Whom.*	*County Seat.*	*Laid out.*	*Population.*
Muscogee	Muscogee Indians	Columbus	1826	36,227
Newton	Sergeant John Newton	Covington	1821	18,449
Oconee	Oconee River	Watkinsville	1875	11,104
Oglethorpe	Gen. Jas. E. Oglethorpe.	Lexington	1793	18,680
Paulding	John Paulding	Dallas	1832	14,124
Pickens	Gen. Andrew Pickens	Jasper	1853	9,041
Pierce	Franklin Pierce	Blackshear	1857	10,749
Pike	Zebulon M. Pike	Zebulon	1822	19,495
Polk	Jas. K. Polk	Cedartown	1851	20,203
Pulaski	Count Pulaski	Hawkinsville	1808	22,835
Putnam	Israel Putnam	Eatonton	1807	13,876
Quitman	Gen. John A. Quitman	Georgetown	1858	4,594
Rabun	Gov. Wm. Rabun	Clayton	1819	5,562
Randolph	John Randolph	Cuthbert	1828	18,841
Richmond	Duke of Richmond	Augusta	1777	58,886
Rockdale	"Rockdale Church"	Conyers	1870	8,916
Schley	Gov. Wm. Schley	Ellaville	1857	5,213
Screven	Gen. Jas. Screven	Sylvania	1793	20,202
Spaulding	Hon. Thos. Spaulding	Griffin	1851	19,741
Stephens	Gov. Alex. H. Stephens.	Toccoa	1905	9,728
Stewart	Gen. Dan'l Stewart	Lumpkin	1830	13,437
Sumter	Gen. Thos. Sumter	Americus	1831	29,092
Talbot	Gov. Matthew Talbot	Talbotton	1827	11,696
Taliaferro	Col. Benj. Taliaferro	Crawfordville	1825	8,766
Tattnal	Josiah Tattnal	Reidsville	1801	18,569
Taylor	Zach. Taylor	Butler	1852	10,839
Telfair	Gov. Edward Telfair	McRae	1807	13,288
Terrell	Dr. Wm. Terrell	Dawson	1856	22,003
Thomas	Gen. Jett Thomas	Thomasville	1825	29,071
Tift	Nelson Tift	Tifton	1905	11,487
Toombs	Gen. Robert Toombs	Lyons	1905	11,206
Towns	Gov. Geo. N. Towns	Hiawassee	1856	3,932
Troup	Gov. Geo. M. Troup	La Grange	1826	26,228
Turner	Henry G. Turner	Ashburn	1905	10,075
Twiggs	Gen. John Twiggs	Jeffersonville	1809	10,736
Union	Union	Blairsville	1832	6,918
Upson	Stephen Upson	Thomaston	1824	12,757
Walker	Maj. Freeman Walker	La Fayette	1833	18,692
Walton	Gov. Geo. Walton	Monroe	1818	25,393
Ware	Nicholas Ware	Waycross	1824	22,957
Warren	Gen. Joseph Warren	Warrenton	1793	11,860
Washington	George Washington	Sandersville	1784	28,174
Wayne	Gen. Anthony Wayne	Jesup	1805	13,069
Webster	Daniel Webster	Preston	1856	6,151
White	———	Cleveland	1857	5,110
Whitfield	Rev. Geo. Whitefield	Dalton	1851	15,934
Wilcox	Captain John Wilcox	Abbeville	1857	13,486
Wilkes	John Wilkes	Washington	1777	23,441
Wilkinson	Gen. Jas. Wilkinson	Irwinton	1803	10,078
Worth	*Gen. Wm. J. Worth*	Isabella	1853	19,147

CONSTITUTION OF THE STATE OF GEORGIA.

PREAMBLE.

To perpetuate the principles of free government, insure justice to all, preserve peace, promote the interest and happiness of the citizen, and transmit to posterity the enjoyment of liberty, we, the people of Georgia, relying upon the protection and guidance of Almighty God, do ordain and establish this Constitution:

ARTICLE I.

BILL OF RIGHTS.

SECTION I.

RIGHTS OF THE CITIZEN.

1. ORIGIN AND FOUNDATION OF GOVERNMENT.—All government of right, originates with the people, is founded upon their will only, and is instituted solely for the good of the whole. Public officers are the trustees and servants of the people, and at all times amenable to them.

2. PROTECTION THE DUTY OF GOVERNMENT.—Protection to person and property is the paramount duty of government, and shall be impartial and complete.

3. LIFE, LIBERTY, AND PROPERTY.—No person shall be deprived of life, liberty, or property, except by due process of law.

4. RIGHT TO THE COURTS.—No person shall be deprived of the right to prosecute or defend his own cause in any of the courts of this State, in person, by attorney, or both.

5. BENEFIT OF COUNSEL, ACCUSATION, LIST OF WITNESSES, COMPULSORY PROCESS AND TRIAL.—Every person charged with an offence against the laws of this State shall have the privilege and benefit of counsel; shall be furnished, on demand, with a copy of the accusation, and a list of the witnesses on whose testimony the charge against him is founded; shall have compulsory process to obtain the testimony of his own witnesses; shall be confronted with the witnesses testifying against him, and shall have a public and speedy trial by an impartial jury.

6. CRIMINATION OF SELF NOT COMPELLED.—No person shall be compelled to give testimony tending in any manner to criminate himself.

7. BANISHMENT; WHIPPING.—Neither banishment beyond the limits of the State, nor whipping, as a punishment for crime, shall be allowed.

8. JEOPARDY OF LIFE, ETC., MORE THAN ONCE, FORBIDDEN.—No person shall be put in jeopardy of life, or liberty, more than once for the same offence, save on his, or her, own motion for a new trial after conviction, or in case of mistrial.

9. BAIL, FINES, PUNISHMENTS, ARRESTS.—Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted; nor shall any person be abused in being arrested, while under arrest, or in prison.

10. COSTS.—No person shall be compelled to pay costs, except after conviction on final trial.

11. HABEAS CORPUS.—The writ of *habeas corpus* shall not be suspended.

12. FREEDOM OF CONSCIENCE.—All men have the natural and inalienable right to worship God, each according to the dictates of his own conscience, and no human authority should, in any case, control or interfere with such right of conscience.

13. RELIGIOUS OPINIONS, ETC.—No inhabitant of this State shall be molested in person or property, or prohibited from holding any public office or trust, on account of his religious opinions; but the right of liberty of conscience shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace and safety of the State.

14. APPROPRIATIONS TO SECTS FORBIDDEN.—No money shall ever be taken from the public treasury, directly or indirectly, in aid of any church, sect, or denomination of religionists, or of any sectarian institution.

15. LIBERTY OF SPEECH GUARANTEED.—No law shall ever be passed to curtail, or restrain, the liberty of speech, or of the press; any person may speak, write, and publish his sentiments, on all subjects, being responsible for the abuse of that liberty.

16. SEARCHES AND WARRANTS.—The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, shall not be violated; and no warrant shall issue except upon probable cause, supported by oath, or affirmation, particularly describing the place, or places, to be searched, and the persons or things to be seized.

17. SLAVERY.—There shall be within the State of Georgia neither slavery nor involuntary servitude, save as a punishment for crime after legal conviction thereof.

18. STATUS OF THE CITIZEN.—The social status of the citizen shall never be the subject of legislation.

19. CIVIL AUTHORITY SUPERIOR TO MILITARY.—The civil authority shall be superior to the military, and no soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, except by the civil magistrate, in such manner as may be provided by law.

20. CONTEMPTS.—The power of the courts to punish for contempts shall be limited by legislative acts.

21. IMPRISONMENT FOR DEBT.—There shall be no imprisonment for debt.

22. ARMS.—The right of the people to keep and bear arms shall not be infringed, but the General Assembly shall have power to prescribe the manner in which arms may be borne.

23. LEGISLATIVE, JUDICIAL, AND EXECUTIVE SEPARATE.—The legislative, judicial, and executive powers shall forever remain separate and distinct, and no person discharging the duties of one shall at the same time exercise the functions of either of the others, except as herein provided.

24. RIGHT TO ASSEMBLE AND PETITION.—The people have the right to assemble peaceably for their common good, and to apply to those vested with the powers of government for redress of grievances, by petition or remonstrance.

25. CITIZENS, PROTECTION OF.—All citizens of the United States resident in this State, are hereby declared citizens of this State; and it shall be the duty of the General Assembly to enact such laws as will protect them in the full enjoyment of the rights, *privileges, and immunities* due to such citizenship.

SECTION II.

CERTAIN OFFENSES DEFINED.

1. LIBEL; JURY IN CRIMINAL TRIALS.—In all prosecutions or indictments for libel, the truth may be given in evidence; and the jury in all criminal cases shall be the judges of the law and the facts. The power of the judges to grant new trials in case of conviction is preserved.

2. TREASON.—Treason against the State of Georgia shall consist in levying war against her, adhering to her enemies, giving them aid and comfort. No person shall be convicted of treason, except on the testimony of two witnesses to the same overt act, or confession in open court.

3. CONVICTION.—No conviction shall work corruption of blood, or forfeiture of estate.

4. LOTTERIES.—All lotteries, and the sale of lottery tickets, are hereby prohibited; and this prohibition shall be enforced by penal laws.

5. LOBBYING.—Lobbying is declared to be a crime, and the General Assembly shall enforce this provision by suitable penalties.

6. FRAUD; PROPERTY CONCEALMENT.—The General Assembly shall have the power to provide for the punishment of fraud; and shall provide, by law, for reaching property of the debtor concealed from the creditor.

SECTION III.

PROTECTION TO PERSON AND PROPERTY.

1. PRIVATE WAYS; JUST COMPENSATION.—In cases of necessity, private ways may be granted upon just compensation being first paid by the applicant. Private property shall not be taken, or damaged, for public purposes, without just and adequate compensation being first paid.

2. ATTAINDER; EX POST FACTO AND RETROACTIVE LAWS, ETC.—No bill of attainder, *ex post facto* law, retroactive law, or law impairing the obligation of contracts, or making irrevocable grants of special privileges or immunities, shall be passed.

3. REVOCATION OF GRANTS.—No grant of special privileges or immunities shall be revoked, except in such manner as to work no injustice to the corporators or creditors of the incorporation.

SECTION IV.

SPECIAL LEGISLATION FORBIDDEN.

1. GENERAL LAWS, AND HOW VARIED.—Laws of a general nature shall have uniform operation throughout the State, and no special law shall be enacted in any case for which provision has been made by an existing general law. No general law affecting private rights shall be varied in any particular case, by special legislation, except with the free consent, in writing, of all persons to be affected thereby; and no person under legal disability to contract is capable of such consent.

2. WHAT ACTS VOID.—Legislative acts in violation of this Constitution, or the Constitution of the United States, are void, and the judiciary shall so declare them.

SECTION V.

GOVERNMENTAL RIGHTS OF THE PEOPLE.

1. STATE RIGHTS.—The people of this State have the inherent, sole, and exclusive right of regulating their internal government, and the police thereof, and of altering and abolishing their Constitution whenever it may be necessary to their safety and happiness.

2. ENUMERATION OF RIGHTS NOT DENY OTHERS.—The enumeration of rights herein contained as a part of this Constitution, shall not be construed to deny to the people any inherent rights which they may have hitherto enjoyed.

ARTICLE II.

ELECTIVE FRANCHISE.

SECTION I.

QUALIFICATION OF VOTERS.

1. BALLOT.—In all elections by the people the electors shall vote by ballot.

2. ELECTORS, AND OATH OF.—Every male citizen of the United States (except as hereinafter provided), twenty-one years of age, who shall have resided in this State one year next preceding the election, and shall have resided six months in the county in which he offers to vote, and shall have paid all taxes which may hereafter be required of him, and which he may have had an opportunity of paying agreeably to law, except for the year of the election, shall be deemed an elector: *Provided*, that no soldier, sailor, or marine in the military or naval service of the United States, shall acquire the rights of an elector by reason of being stationed on duty in this State; and no person shall vote who, if challenged, shall refuse to take the following oath, or affirmation: "I do swear (or affirm) that I am twenty-one years of age, have resided in this State one year, and in this county six months, next preceding this election. I have paid all taxes which, since the adoption of the present Constitution of this State, have been required of me previous to this year, and which I have had an opportunity to pay, and I have not voted at this election."

SECTION II.

REGISTRATION..

1. REGISTRATION; WHO DISFRANCHISED.—The General Assembly may provide, from time to time, for the registration of all electors, but the following classes of persons shall not be permitted to register, vote, or hold any office, or appointment of honor or trust in this State, to-wit: (1) Those who shall have been convicted, in any court of competent jurisdiction, of treason against the State, of embezzlement of public funds, malfeasance in office, bribery, or larceny, or of any crime involving moral turpitude, punishable by the laws of this State with imprisonment in the penitentiary, unless such person shall *have been pardoned*. (2) Idiots and insane persons.

SECTION III.

VOTERS' PRIVILEGE.

1. PRIVILEGE OF ELECTORS.—Electors shall, in all cases except for treason, felony, larceny and breach of the peace, be privileged from arrest during their attendance on elections, and in going to and returning from the same.

SECTION IV.

DISQUALIFICATION TO HOLD OFFICE.

1. HOLDER OF PUBLIC FUNDS.—No person who is the holder of any public money, contrary to law, shall be eligible to any office in this State until the same is accounted for and paid into the treasury.

2. DUELLING.—No person who, after the adoption of this Constitution, being a resident of this State, shall have been convicted of fighting a duel in this State, or convicted of sending or accepting a challenge, or convicted of aiding or abetting such duel, shall hold office in this State, unless he shall have been pardoned; and every such person shall also be subject to such punishment as may be prescribed by law.

SECTION V.

SALE OF LIQUORS, WHEN FORBIDDEN.

1. SALE OF LIQUORS ON ELECTION DAYS.—The General Assembly shall, by law, forbid the sale, distribution, or furnishing of intoxicating drinks within two miles of election precincts on days of election—State, county or municipal—and prescribe punishment for any violation of the same.

SECTION VI.

RETURN OF ELECTIONS.

1. ELECTION RETURNS.—Returns of election for all civil officers elected by the people, who are to be commissioned by the Governor, and also for the members of the General Assembly, shall be made to the Secretary of State, unless otherwise provided by law.

ARTICLE III.

LEGISLATIVE DEPARTMENT.

SECTION I.

LEGISLATIVE POWER, WHERE VESTED.

1. LEGISLATIVE POWER.—The legislative power of the State shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives.

SECTION II.

SENATORIAL DISTRICTS.

1. NUMBER OF SENATORS, ETC.—The Senate shall consist of forty-four members. There shall be forty-four Senatorial districts, as now arranged by counties. Each district shall have one Senator.

2. DISTRICTS CHANGED, HOW.—The General Assembly may change these districts after each census of the United States: *Provided*, that neither the number of districts nor the number of senators from each district shall be increased.

SECTION III.

COUNTY REPRESENTATION.

1. NUMBER OF REPRESENTATIVES.—The House of Representatives shall consist of one hundred and seventy-five representatives, apportioned among the several counties as follows, to-wit: To the six counties having the largest population, viz., Chatham, Richmond, Burke, Houston, Bibb, and Fulton, three representatives, each; to the twenty-six counties having the next largest population, viz., Bartow, Coweta, Decatur, Floyd, Greene, Gwinnett, Harris, Jefferson, Meriwether, Monroe, Muscogee, Newton, Stewart, Sumter, Thomas, Troup, Washington, Hancock, Carroll, Cobb, Jackson, Dougherty, Oglethorpe, Macon, Talbot, and Wilkes, two representatives, each; and to the remaining one hundred and five counties, one representative each.

2. CHANGED, HOW.—The above apportionment shall be changed by the General Assembly at its first session after each census taken by the United States Government, so as to give the six counties having the largest population three representatives, each; and to the twenty-six counties having the next largest population two representatives, each; but in no event shall the aggregate number of representatives be increased.

(This section has been amended to add nine new counties and increase the representatives to one hundred and eighty-four.)

SECTION IV.

THE GENERAL ASSEMBLY.

1. TERM OF MEMBERS.—The members of the General Assembly shall be elected for two years, and shall serve until their successors are elected.

2. ELECTION, WHEN.—The first election for members of the General Assembly, under this Constitution, shall take place on the first Wednesday in December, 1877; the second election for the same shall be held on the first Wednesday in October, 1880, and subsequent elections biennially on that day, until the day of election is changed by law.

3. MEETING OF THE GENERAL ASSEMBLY.—The first meeting of the General Assembly, after the ratification of this Constitution, shall be on the fourth Wednesday in October, 1878, and annually thereafter, on the same day, until the day shall be changed by law. No session of the General Assembly shall continue longer than fifty days: *Provided*, that if an impeachment trial is impending at the end of fifty days, the session may be prolonged till the completion of said trial. (Legislature now meets fourth Wednesday in June.)

4. QUORUM.—A majority of each house shall constitute a quorum to transact business; but a smaller number may adjourn from day to day and compel the presence of its absent *members, as each house may* provide.

5. OATH OF MEMBERS.—Each senator and representative, before taking his seat, shall

take the following oath, or affirmation, to wit: "I will support the Constitution of this State, and of the United States; and on all questions and measures which may come before me, I will so conduct myself as will, in my judgment, be most conducive to the interests and prosperity of this State."

6. LENGTH OF SESSIONS.—(See par. 3 this section.)

7. ELIGIBILITY; APPOINTMENTS FORBIDDEN.—No person holding a military commission, or other appointment or office, having any emolument or compensation annexed thereto, under this State, or the United States, or either of them, except justices of the peace and officers of the militia, nor any defaulter for public money, or for any legal taxes required of him, shall have a seat in either house, nor shall any senator or representative, after his qualification as such, be elected by the General Assembly, or appointed by the Governor, either with or without the advice and consent of the Senate, to any office or appointment having any emolument annexed thereto, during the time for which he shall have been elected.

8. REMOVAL VACATES.—The seat of a member of either house shall be vacated on his removal from the district or county from which he was elected.

SECTION V.

THE SENATE.

1. QUALIFICATIONS OF SENATORS.—The Senators shall be citizens of the United States who have attained the age of twenty-five years, and who shall have been citizens of this State for four years, and for one year residents of the district from which elected.

2. PRESIDENT.—The presiding officer of the Senate shall be styled the President of the Senate, and he shall be elected *viva voce* from the Senators.

3. IMPEACHMENTS.—The Senate shall have the sole power to try impeachments.

4. TRIAL OF IMPEACHMENTS.—When sitting for that purpose, the members shall be on oath or affirmation, and shall be presided over by the Chief Justice, or the presiding justice of the Supreme Court. Should the Chief Justice be disqualified, the Senate shall select the judge of the Supreme Court to preside. No person shall be convicted without the concurrence of two-thirds of the members present.

5. JUDGMENTS IN IMPEACHMENTS.—Judgments, in cases of impeachment, shall not extend further than removal from office and disqualification to hold and enjoy any office of honor, trust, or profit, within this State; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment and punishment, according to law.

SECTION VI.

THE HOUSE OF REPRESENTATIVES.

1. QUALIFICATIONS OF REPRESENTATIVES.—The representatives shall be citizens of the United States who have attained the age of twenty-one years, and who shall have been citizens of this State for two years, and for one year residents of the counties from which elected.

2. SPEAKER.—The presiding officer of the House of Representatives shall be styled the Speaker of the House of Representatives, and shall be elected *viva voce* from the body.

3. POWER TO IMPEACH.—The House of Representatives shall have the sole power to impeach all persons who shall have been, or may be, in office.

SECTION VII.

ENACTMENT OF LAWS.

1. ELECTIONS, RETURNS, ETC.; DISORDERLY CONDUCT.—Each house shall be the judge of the election, returns, and qualifications of its members, and shall have power to punish them for disorderly behavior, or misconduct, by censure, fine, imprisonment, or expulsion, but no member shall be expelled, except by a vote of two-thirds of the house to which he belongs.

2. CONTEMPTS, HOW PUNISHED.—Each house may punish by imprisonment, not extending beyond the session, any person, not a member, who shall be guilty of a contempt by any disorderly behavior in its presence, or who shall rescue, or attempt to rescue, any person arrested by order of either house.

3. PRIVILEGE OF MEMBERS.—The members of both houses shall be free from arrest during their attendance on the General Assembly, and in going thereto or returning therefrom, except for treason, felony, larceny, or breach of the peace; and no member shall be liable to answer in any other place for anything spoken in debate in either house.

4. JOURNALS.—Each house shall keep a journal of its proceedings, and publish it immediately after its adjournment.

5. WHERE KEPT.—The original journal shall be preserved, after publication, in the office of the Secretary of State, but there shall be no other record thereof.

6. YEAS AND NAYS, WHEN TAKEN.—The yeas and nays on any question shall, at the desire of one-fifth of the members present, be entered on the journal.

7. BILLS TO BE READ.—Every bill, before it shall pass, shall be read three times, and on three separate days, in each house, unless in cases of actual invasion or insurrection; but the first and second reading of each local bill, and bank and railroad charters shall consist of the reading of the title only, unless said bill is ordered to be engrossed.

8. ONE SUBJECT-MATTER EXPRESSED.—No law or ordinance shall pass which refers to more than one subject-matter, or contains matter different from what is expressed in the title thereof.

9. GENERAL APPROPRIATION BILL.—The general appropriation bill shall embrace nothing except appropriations fixed by previous laws, the ordinary expenses of the executive, legislative, and judicial departments of the government, payment of the public debt and interest thereon, and the support of the public institutions and educational interests of the State. All other appropriations shall be made by separate bills, each embracing but one subject.

10. BILLS FOR REVENUE.—All bills for raising revenue, or appropriating money, shall originate in the House of Representatives, but the Senate may propose or concur in amendments, as in other bills.

11. PUBLIC MONEY, HOW DRAWN.—No money shall be drawn from the treasury except by appropriation made by law; and a regular statement and account of the receipt and expenditure of all public money shall be published every three months, and, also, with the laws passed by each session of the General Assembly.

12. BILLS APPROPRIATING MONEY.—No bill or resolution appropriating money shall become a law, unless, upon its passage, the yeas and nays, in each house, are recorded.

13. ACTS SIGNED; REJECTED BILLS.—All acts shall be signed by the President of the Senate and the Speaker of the House of Representatives, and no bill, ordinance, or resolution, intended to have the effect of a law, which shall have been rejected by either house, shall be again proposed during the same session, under the same or any other title, without the consent of two-thirds of the house by which the same was rejected.

14. MAJORITY OF MEMBERS TO PASS BILL.—No bill shall become a law unless it shall

receive a majority of the votes of all the members elected to each house of the General Assembly, and it shall, in every instance, so appear on the journal.

15. LOCAL BILLS.—Stricken out by amendment.

16. NOTICE OF INTENTION TO ASK LOCAL LEGISLATION NECESSARY.—No local or special bill shall be passed, unless notice of the intention to apply therefor shall have been published in the locality where the matter, or thing to be affected, may be situated, which notice shall be given at least thirty days prior to the introduction of such bill into the General Assembly, and in the manner to be prescribed by law. The evidence of such notice having been published, shall be exhibited in the General Assembly before such act shall be passed.

17. STATUTES AND SECTIONS OF CODE, HOW AMENDED.—No law, or section of the Code, shall be amended or repealed by mere reference to its title, or to the number of the section of the Code, but the amending or repealing act shall distinctly describe the law to be amended or repealed, as well as the alteration to be made.

18. CORPORATE POWERS, HOW GRANTED.—The General Assembly shall have no power to grant corporate powers and privileges to private companies; to make or change election precincts; nor to establish bridges or ferries; nor to change names of legitimate children; but it shall prescribe by law the manner in which such powers shall be exercised by the courts. All corporate powers and privileges to banking, insurance, railroad, canal, navigation, express and telegraph companies shall be issued and granted by the secretary of State, in such manner as shall be prescribed by law; and if in any event the secretary of State should be disqualified to act in any case, then in that event the legislature shall provide by general laws by what person such charters shall be granted.

19. RECOGNIZANCES.—The General Assembly shall have no power to relieve principals or securities upon forfeited recognizances, from the payment thereof, either before or after judgment thereon, unless the principal in the recognizance shall have been apprehended and placed in the custody of the proper officer.

20. STREET-RAILWAYS.—The General Assembly shall not authorize the construction of any street passenger-railway within the limits of any incorporated town or city, without the consent of the corporate authorities.

21. YEAS AND NAYS TO BE ENTERED, WHEN.—Whenever the Constitution requires a vote of two-thirds of either or both houses for the passing of an act or resolution, the yeas and nays on the passage thereof shall be entered on the journal.

22. POWERS OF THE LEGISLATURE.—The General Assembly shall have power to make all laws and ordinances consistent with this Constitution, and not repugnant to the Constitution of the United States, which they shall deem necessary and proper for the welfare of the State.

23. SIGNATURE OF GOVERNOR.—No provision in this Constitution, for a two-thirds vote of both houses of the General Assembly, shall be construed to waive the necessity for the signature of the Governor, as in any other case, except in the case of the two-thirds vote required to override the veto, and in case of prolongation of a session of the General Assembly.

24. ADJOURNMENTS.—Neither house shall adjourn for more than three days, or to any other place, without the consent of the other; and in case of disagreement between the two houses on a question of adjournment, the Governor may adjourn either or both of them.

SECTION VIII.

OFFICERS OF THE GENERAL ASSEMBLY.

1. SECRETARY AND CLERK.—The officers of the two houses, other than the President and Speaker, shall be a secretary of the Senate, and clerk of the House of Repre-

sentatives, and such assistants as they may appoint; but the clerical expenses of the Senate shall not exceed sixty dollars per day, for each session, nor those of the House of Representatives seventy dollars per day, for each session. The secretary of the Senate and clerk of the House of Representatives shall be required to give bond and security for the faithful discharge of their respective duties.

SECTION IX.

PAY OF MEMBERS.

1. COMPENSATION.—The *per diem* of members of the General Assembly shall not exceed four dollars; and mileage shall not exceed ten cents for each mile travelled, by the nearest practicable route, in going to, and returning from, the capital; but the President of the Senate and the Speaker of the House of Representatives shall each receive not exceeding seven dollars per day.

SECTION X.

ELECTIONS BY GENERAL ASSEMBLY.

1. ELECTIONS.—All elections by the General Assembly shall be *viva voce*, and the vote shall appear on the journal of the House of Representatives. When the Senate and House of Representatives unite for the purpose of elections, they shall meet in the Representative Hall, and the President of the Senate shall, in such cases, preside and declare the result.

SECTION XI.

MARRIED WOMAN'S PROPERTY.

1. WIFE'S ESTATE.—All property of the wife at the time of her marriage, and all property given to, inherited, or acquired by her, shall remain her separate property, and not be liable for the debts of her husband.

SECTION XII.

INSURANCE COMPANIES.

1. NON-RESIDENT INSURANCE COMPANIES.—All life-insurance companies now doing business in this State, or which may desire to establish agencies and do business in the State of Georgia, chartered by other States of the Union, or foreign states, shall show that they have deposited with the comptroller-general of the State in which they are chartered, or of this State, the insurance commissioners, or such other officer as may be authorized to receive it, not less than one hundred thousand dollars, in such securities as may be deemed by such officer equivalent to cash, subject to his order, as a guarantee fund for the security of policy holders.

2. LICENSE BY COMPTROLLER.—When such showing is made to the comptroller-general of the State of Georgia by a proper certificate from the State official having charge of the funds so deposited, the comptroller-general of the State of Georgia is authorized to issue, to the company making such showing, a license to do business in the State, upon paying the fees required by law.

3. RESIDENT INSURANCE COMPANIES.—All life-insurance companies chartered by the

State of Georgia, or which may hereafter be chartered by the State, shall, before doing business, deposit, with the comptroller-general of the State of Georgia, or with some strong corporation, which may be approved by said comptroller-general, one hundred thousand dollars, in such securities as may be deemed by him equivalent to cash, to be subject to his order, as a guarantee fund for the security of the policy holders of the company making such deposit, all interests and dividends arising from such securities to be paid, when due, to the company so depositing. Any such securities as may be needed or desired by the company may be taken from said department at any time by replacing them with other securities equally acceptable to the comptroller-general, whose certificate for the same shall be furnished to the company.

4. GENERAL ASSEMBLY TO ENACT LAWS FOR PEOPLE'S PROTECTION, ETC.—The General Assembly shall, from time to time, enact laws to compel all fire-insurance companies doing business in this State, whether chartered by this State or otherwise, to deposit reasonable securities with the treasurer of this State, to secure the people against loss by the operations of said companies.

5. REPORTS BY INSURANCE COMPANIES.—The General Assembly shall compel all insurance companies in this State or doing business therein, under proper penalties, to make semi-annual reports to the Governor, and print the same at their own expense, for the information and protection of the people

ARTICLE IV.

POWER OF THE GENERAL ASSEMBLY OVER TAXATION.

SECTION I.

TAXATION.

1. TAXATION, A SOVEREIGN RIGHT.—The right of taxation is a sovereign right, inalienable, indestructible, is the life of the State, and rightfully belongs to the people in all republican governments, and neither the General Assembly, nor any nor all other departments of the government established by this Constitution, shall ever have the authority to irrevocably give, grant, limit, or restrain this right; and all laws, grants, contracts, and all other acts whatsoever, by said government, or any department thereof, to effect any of these purposes, shall be and are hereby declared to be null and void for every purpose whatsoever; and said right of taxation shall always be under the complete control of, and revocable by, the State, notwithstanding any gift, grant, or contract whatsoever by the General Assembly.

SECTION II.

REGULATION OF CORPORATIONS.

1. RAILROAD TARIFFS.—The power and authority of regulating railroad freights and passenger tariffs, preventing unjust discriminations, and requiring reasonable and just rates of freight and passenger tariffs, are hereby conferred upon the General Assembly, whose duty it shall be to pass laws, from time to time, to regulate freight and passenger tariffs, to prohibit unjust discriminations on the various railroads of this State, and to prohibit said roads from charging other than just and reasonable rates, and enforce the same by adequate penalties.

2. RIGHT OF EMINENT DOMAIN; POLICE POWER.—The exercise of the right of eminent domain shall never be abridged, nor so construed as to prevent the General Assembly from taking the property and franchises of incorporated companies, and subjecting them to public use, the same as property of individuals; and the exercise of the police power of the State shall never be abridged, nor so construed as to permit corporations to conduct their business in such a manner as to infringe the equal rights of individuals, or the general well-being of the State.

3. CHARTERS REVIVED OR AMENDED BECOME SUBJECT TO THIS CONSTITUTION.—The General Assembly shall not remit the forfeiture of the charter of any corporation, now existing, nor alter or amend the same, nor pass any other general or special law for the benefit of said corporation except upon the condition that such corporation shall thereafter hold its charter subject to the provisions of this Constitution; and every amendment of any charter of any corporation in this State, or any special law for its benefit, accepted thereby, shall operate as a novation of said charter and shall bring the same under the provisions of this Constitution: *Provided*, that this section shall not extend to any amendment for the purpose of allowing any existing road to take stock in or aid in the building of any branch road.

4. BUYING STOCK, ETC., IN OTHER CORPORATIONS; COMPETITION.—The General Assembly of this State shall have no power to authorize any corporation to buy shares or stock in any other corporation in this State or elsewhere, or to make any contract, or agreement whatever, with any such corporation, which may have the effect, or be intended to have the effect, to defeat or lessen competition in their respective businesses, or to encourage monopoly; and all such contracts and agreements shall be illegal and void.

5. REBATES.—No railroad company shall give, or pay, any rebate or *bonus* in the nature thereof, directly or indirectly, or do any act to mislead or deceive the public as to the real rates charged or received for freights or passage; and any such payments shall be illegal and void, and these prohibitions shall be enforced by suitable penalties.

6. OBLIGATION OF CONTRACTS PRESERVED.—No provision of this Article shall be deemed, held or taken to impair the obligation of any contract heretofore made by the State of Georgia.

7. GENERAL ASSEMBLY TO ENFORCE.—The General Assembly shall enforce the provisions of this Article by appropriate legislation.

ARTICLE V.

EXECUTIVE DEPARTMENT.

SECTION I.

GOVERNOR.

1. EXECUTIVE DEPARTMENT.—The officers of the Executive Department shall consist of a Governor, secretary of State, comptroller-general and treasurer.

2. GOVERNOR; TERM OF OFFICE, SALARY, ETC.—The Executive power shall be vested in a Governor, who shall hold his office during the term of two years, and until his successor shall be chosen and qualified. He shall not be eligible to reëlection, after the expiration of a second term, for the period of four years. He shall have a salary of five thousand dollars per annum (until otherwise provided by a law passed by a two-

thirds vote of both branches of the General Assembly), which shall not be increased or diminished during the period for which he shall have been elected; nor shall he receive, within that time, any other emolument from the United States, or either of them, or from any foreign power. But this reduction of salary shall not apply to the present term of the present Governor.

8. ELECTION FOR GOVERNOR.—The first election for Governor, under this Constitution, shall be held on the first Wednesday in October, 1880, and the Governor-elect shall be installed in office at the next session of the General Assembly. An election shall take place biennially thereafter, on said day, until another date be fixed by the General Assembly. Said election shall be held at the places of holding general elections in the several counties of this State, in the manner prescribed for the election of members of the General Assembly, and the electors shall be the same.

4. RETURNS OF ELECTIONS.—The returns for every election of Governor shall be sealed up by the managers, separately from other returns, and directed to the President of the Senate and Speaker of the House of Representatives, and transmitted to the secretary of State, who shall, without opening said returns, cause the same to be laid before the Senate on the day after the two houses shall have been organized, and they shall be transmitted by the Senate to the House of Representatives.

5. HOW PUBLISHED.—The members of each branch of the General Assembly shall convene in the Representative Hall, and the President of the Senate and Speaker of the House of Representatives shall open and publish the returns in the presence and under the direction of the General Assembly; and the person having the majority of the whole number of votes shall be declared duly elected Governor of this State, but if no person shall have such majority, then from the two persons having the highest number of votes, who shall be in life, and shall not decline an election at the time appointed for the General Assembly to elect, the General Assembly shall, immediately, elect a Governor *viva voce*; and in all cases of election of a Governor by the General Assembly a majority of the members present shall be necessary to a choice.

6. CONTESTED ELECTIONS.—Contested elections shall be determined by both houses of the General Assembly in such manner as shall be prescribed by law.

7. QUALIFICATIONS OF GOVERNOR.—No person shall be eligible to the office of Governor who shall not have been a citizen of the United States fifteen years, and a citizen of the State six years, and who shall not have attained the age of thirty years.

8. DEATH, RESIGNATION, OR DISABILITY OF GOVERNOR.—In case of the death, resignation, or disability of the Governor, the President of the Senate shall exercise the executive powers of the government until such disability be removed, or a successor is elected and qualified. And in case of the death, resignation, or disability of the President of the Senate, the Speaker of the House of Representatives shall exercise the executive powers of the government until the removal of the disability, or the election and qualification of a Governor.

9. UNEXPIRED TERMS.—The General Assembly shall have power to provide by law, for filling unexpired terms by special elections.

10. OATH OF OFFICE.—The Governor shall, before he enters on the duties of his office, take the following oath or affirmation: "I do solemnly swear (or affirm, as the case may be) that I will faithfully execute the office of Governor of the State of Georgia, and will, to the best of my ability, preserve, protect and defend the Constitution thereof, and the Constitution of the United States of America."

11. COMMANDER-IN-CHIEF.—The Governor shall be commander-in-chief of the army and navy of this State, and of the militia thereof.

12. REPRIEVES AND PARDONS.—He shall have power to grant reprieves and pardons, to commute penalties, remove disabilities imposed by law, and to remit any part of a sen-

tence for offenses against the State, after conviction, except in cases of treason and impeachment, subject to such regulations as may be provided by law relative to the manner of applying for pardons. Upon conviction for treason he may suspend the execution of the sentence and report the case to the General Assembly at the next meeting thereof, when the General Assembly shall either pardon, commute the sentence, direct its execution, or grant a further reprieve. He shall, at each session of the General Assembly, communicate to that body each case of reprieve, pardon or commutation granted, stating the name of the convict, the offense for which he was convicted, the sentence and its date, the date of the reprieve, pardon or commutation, and the reasons for granting the same. He shall take care that the laws are faithfully executed, and shall be a conservator of the peace throughout the State.

13. WRITS OF ELECTIONS; CALLED SESSION OF THE LEGISLATURE.—He shall issue writs of election to fill all vacancies that may happen in the Senate or House of Representatives, and shall give the General Assembly from time to time, information of the state of the Commonwealth, and recommend to their consideration such measures as he may deem necessary or expedient. He shall have power to convoke the General Assembly on extraordinary occasions, but no law shall be enacted at called sessions of the General Assembly except such as shall relate to the object stated in his proclamation convening them.

14. FILLING VACANCIES.—When any office shall become vacant, by death, resignation, or otherwise, the Governor shall have power to fill such vacancy, unless otherwise provided by law; and persons so appointed shall continue in office until a successor is commissioned, agreeably to the mode pointed out by this Constitution, or by law in pursuance thereof.

15. APPOINTMENTS REJECTED.—A person once rejected by the Senate shall not be reappointed by the Governor to the same office during the same session, or the recess thereafter.

16. GOVERNOR'S VETO.—The Governor shall have the revision of all bills passed by the General Assembly, before the same shall become laws, but two-thirds of each house may pass a law notwithstanding his dissent; and if any bill should not be returned by the Governor within five days (Sunday excepted) after it has been presented to him, the same shall be a law; unless the General Assembly, by their adjournment, shall prevent its return. He may approve any appropriation, and disapprove any other appropriation, in the same bill, and the latter shall not be effectual unless passed by two-thirds of each house.

17. GOVERNOR MUST APPROVE.—Every vote, resolution, or order, to which the concurrence of both houses may be necessary, except on a question of election, or adjournment, shall be presented to the Governor, and before it shall take effect, be approved by him, or, being disapproved, shall be repassed by two-thirds of each house.

18. INFORMATION FROM DEPARTMENT OFFICERS; TREASURER AND COMPTROLLER.—He may require information, in writing, from the officers in the Executive Department on any subject relating to the duties of their respective offices. It shall be the duty of the Governor, quarterly, and oftener if he deems it expedient, to examine, under oath, the treasurer and comptroller-general of the State on all matters pertaining to their respective offices, and to inspect and review their books and accounts. The General Assembly shall have authority to provide by law for the suspension of either of said officers, from the discharge of the duties of his office, and also for the appointment of a suitable person to discharge the duties of the same.

19. SECRETARIES.—The Governor shall have power to appoint his own secretaries not exceeding two in number, and to provide such other clerical force as may be required in his office, but the total cost for secretaries and clerical force in his office shall not *exceed six thousand dollars* per annum.

SECTION II.

OTHER EXECUTIVE OFFICERS.

1. SECRETARY OF STATE, COMPTROLLER AND TREASURER, HOW ELECTED.—The secretary of State, comptroller-general and treasurer shall be elected by persons qualified to vote for members of the General Assembly, at the same time and in the same manner as the Governor. The provisions of the Constitution as to the transmission of the returns of election, counting the votes, declaring the result, deciding when there is no election, and when there is a contested election, applicable to the election of Governor, shall apply to the election of secretary of State, comptroller-general and treasurer; they shall be commissioned by the Governor and hold their offices for the same time as the Governor.

2. TREASURER'S SALARY.—The salary of the treasurer shall not exceed two thousand dollars per annum. The clerical expenses of his department shall not exceed sixteen hundred dollars per annum.

3. SALARY OF SECRETARY OF STATE.—The salary of the secretary of State shall not exceed two thousand dollars per annum, and the clerical expenses of his department shall not exceed one thousand dollars per annum.

4. COMPTROLLER-GENERAL'S SALARY.—The salary of the comptroller-general shall not exceed two thousand dollars per annum. The clerical expenses of his department, including the insurance department and wild-land clerk, shall not exceed four thousand dollars per annum; and without said clerk, it shall not exceed three thousand dollars per annum.

5. PROFIT FROM USE OF PUBLIC MONEY.—The treasurer shall not be allowed, directly or indirectly, to receive any fee, interest, or reward from any person, bank, or corporation for the deposit or use, in any manner, of the public funds; and the General Assembly shall enforce this provision by suitable penalties.

6. QUALIFICATIONS.—No person shall be eligible to the office of secretary of State, comptroller-general, or treasurer, unless he shall have been a citizen of the United States for ten years, and shall have resided in this State for six years next preceding his election, and shall be twenty-five years of age when elected. All of said officers shall give bond and security, under regulations to be prescribed by law, for the faithful discharge of their duties.

7. FEES AND PERQUISITES DENIED.—The secretary of State, the comptroller-general, and the treasurer, shall not be allowed any fee, perquisite, or compensation, other than their salaries, as prescribed by law, except their necessary expenses when absent from the seat of government on business for the State.

SECTION III.

SEAL OF STATE.

1. GREAT SEAL.—The Great Seal of the State shall be deposited in the office of the secretary of State, and shall not be affixed to any instrument of writing except by order of the Governor, or General Assembly, and that now in use shall be the great seal of the State until otherwise provided by law.

ARTICLE VI.

JUDICIARY.

SECTION I.

COURTS.

1. COURTS ENUMERATED.—The judicial powers of this State shall be vested in a Supreme Court, a Court of Appeals, superior courts, courts of ordinary, justices of the peace, commissioned notaries public, and such other courts as have been or may be established by law.

SECTION II.

SUPREME COURT.

1. SUPREME COURT JUDGES.—The Supreme Court shall consist of a Chief Justice and two Associate Justices. A majority of the court shall constitute a quorum.

2. GOVERNOR TO DESIGNATE JUDGES TO PRESIDE, WHEN.—When one or more of the judges are disqualified from deciding any case, by interest or otherwise, the Governor shall designate a judge, or judges, of the superior court to preside in said case.

3. BONDHOLDING JUDGE DISQUALIFIED, WHEN.—No judge of any court shall preside in any case where the validity of any bond—Federal, State, corporation, or municipal—is involved, who holds in his own right, or as the representative of others, any material interest in the class of bonds upon which the question to be decided arises.

4. TERMS OF OFFICE.—The Chief Justices and Associate Justices shall hold their offices for six years, and until their successors are qualified. A successor to the incumbent whose term will soonest expire, shall be elected by the General Assembly in 1880: a successor to the incumbent whose term of office is next in duration shall be elected by the General Assembly in 1882; and a successor to the third incumbent shall be elected by the General Assembly in 1884; but appointments to fill vacancies shall only be for the unexpired term, or until such vacancies are filled by elections, agreeably to the mode pointed out by the Constitution.

5. JURISDICTION.—The Supreme Court shall have no original jurisdiction, but shall be a court alone for the trial and correction of errors from the superior courts, and from the city courts of Atlanta and Savannah, and such other like courts as may be hereafter established in other cities; and shall sit at the seat of government, at such times in each year as shall be prescribed by law, for the trial and determination of writs of error from said superior and city courts.

6. CASES, HOW DISPOSED OF.—The Supreme Court shall dispose of every case at the first or second term after such writ of error is brought; and in case the plaintiff in error shall not be prepared at the first term to prosecute the case—unless prevented by providential cause—it shall be stricken from the docket, and the judgment below shall stand affirmed.

7. JUDGMENTS MAY BE WITHHELD.—In any case the court may, in its discretion, withhold its judgment until the next term after the same is argued.

8. The Supreme Court shall hereafter consist of a Chief Justice and five Associate Justices. The court shall have power to hear and determine cases when sitting, either in a body or in two divisions of three judges each, under such regulations as may be prescribed by the General Assembly. A majority of either division shall constitute a quorum for that division. The Chief Justice and the Associate Justices of the Supreme *Court shall* hereafter be elected by the people at the same time and in the same manner

as the Governor and State House officers are elected, except that the first election under this amendment shall be held on the third Wednesday in December, 1896, at which time one Associate Justice shall be elected for a full term of six years, to fill the vacancy occurring on January 1st, 1897, by the expiration of the term of one of the present incumbents, and three additional Associate Justices shall be elected for terms expiring respectively January 1, 1899, January 1, 1901, and January 1, 1903. The persons elected as additional Associate Justices shall, among themselves, determine by lot which of the three last mentioned terms each shall have, and they shall be commissioned accordingly.

After said first election, all terms (except unexpired terms) shall be for six years each. In case of any vacancy which causes an unexpired term, the same shall be filled by executive appointment, and the person appointed by the Governor shall hold his office until the next regular election, and until his successor for the balance of the unexpired term shall have been elected and qualified. The returns of said special election shall be made to the Secretary of State.

(The Act creating this Section as an Amendment to the Constitution was approved December 16, 1895, and was ratified by the people at the general election in 1896.)

9. (An amendment has been added to the Constitution creating a Court of Appeals.)

SECTION III.

SUPERIOR COURTS.

1. TERMS, ETC., OF SUPERIOR COURT JUDGES.—There shall be a judge of the superior courts for each judicial circuit, whose term of office shall be four years, and until his successor is qualified. He may act in other circuits when authorized by law.

2. ELECTIONS, WHEN TO BE MADE.—The successors to the present and subsequent incumbents shall be elected by the electors, entitled to vote for members of the General Assembly of the whole State, at the general election held for such members, next preceding the expiration of their respective terms: *Provided*, that the successors for all incumbents whose terms expire on or before the first day of January, 1899, shall be elected by the General Assembly at its session for 1898, for the full term of four years.

3. TERMS BEGIN, WHEN.—The terms of the Judges to be elected under the Constitution (except to fill vacancies) shall begin on the first day of January after their election. Every vacancy occasioned by death, resignation or other causes, shall be filled by appointments of the Governor until the first day of January after the general election held next after the expiration of thirty days from the time such vacancy occurs, at which election a successor for the unexpired term shall be elected.

SECTION IV.

JURISDICTION OF SUPERIOR COURTS.

1. EXCLUSIVE JURISDICTION.—The superior court shall have exclusive jurisdiction in cases of divorce; in criminal cases where the offender is subjected to loss of life, or confinement in the penitentiary; in cases respecting titles to land and equity cases.

2. EQUITY MAY BE MERGED IN COMMON LAW COURTS.—The General Assembly may confer upon the courts of common law, all the powers heretofore exercised by courts of equity in this State.

8. GENERAL JURISDICTION.- Said courts shall have jurisdiction in all civil cases, except as hereinafter provided.

4. APPELLATE JURISDICTION.—They shall have appellate jurisdiction in all such cases as may be provided by law.

5. CERTIORARI, MANDAMUS, ETC.—They shall have power to correct errors in inferior judicatories, by writ of *certiorari*, which shall only issue on the sanction of the Judge; and said courts and the judges thereof shall have power to issue writs of *mandamus*, prohibition, *scire facias*, and all other writs that may be necessary for carrying their powers fully into effect, and shall have such other powers as are or may be conferred on them by law.

6. APPEAL FROM ONE JURY TO ANOTHER.—The General Assembly may provide for an appeal from one jury, in the superior and city courts, to another, and the said court may grant new trials on legal grounds.

7. JUDGMENT BY THE COURT.—The court shall render judgment without the verdict of a jury, in all civil cases founded on unconditional contracts in writing, where an issuable defense is not filed under oath or affirmation.

8. SESSIONS.—The superior courts shall sit in each county not less than twice in each year, at such times as have been or may be appointed by law.

9. PRESIDING JUDGE DISQUALIFIED.—The General Assembly may provide by law for the appointment of some proper person to preside in cases where the presiding judge is, from any cause, disqualified.

SECTION V.

JUDGES OF SUPERIOR AND CITY COURTS.

1. JUDGES OF SUPERIOR AND CITY COURTS MAY ALTERNATE, WHEN.—In any county within which there is, or hereafter may be, a city court, the judge of said court, and of the superior court, may preside in the courts of each other in cases where the judge of either court is disqualified to preside.

SECTION VI.

COURT OF ORDINARY.

1. ORDINARY, APPEALS FROM.—The powers of a court of ordinary, and of probate, shall be vested in an ordinary for each county, from whose decision there may be an appeal (or, by consent of parties, without a decision) to the superior court, under regulations prescribed by law.

2. POWERS.—The courts of ordinary shall have such powers in relation to roads, bridges, ferries, public buildings, paupers, county officers, county funds, county taxes, and other county matters, as may be conferred on them by law.

3. TERM OF OFFICE.—The ordinary shall hold his office for the term of four years, and until his successor is elected and qualified.

SECTION VII.

JUSTICES OF THE PEACE.

1. JUSTICES, NUMBER AND TERM.—There shall be in each militia district one justice of the peace, whose official term, except when elected to fill an unexpired term, shall be four years.

2. JURISDICTION.—Justices of the peace shall have jurisdiction in all civil cases, arising *ex contractu*, and in cases of injuries or damages to personal property, when the principal sum does not exceed one hundred dollars, and shall sit monthly at fixed times and places; but in all cases there may be an appeal to a jury in said court, or an appeal to the superior court, under such regulations as may be prescribed by law.

3. ELECTIONS AND COMMISSIONS.—Justices of the peace shall be elected by the legal voters in their respective districts, and shall be commissioned by the Governor. They shall be removable on conviction for malpractice in office.

SECTION VIII.

NOTARIES PUBLIC.

1. NOTARIES PUBLIC, HOW APPOINTED, ETC.—Commissioned notaries public, not to exceed one for each militia district, may be appointed by the judges of superior courts in their respective circuits, upon recommendation of the grand juries of the several counties. They shall be commissioned by the Governor for the term of four years, and shall be *ex officio* justices of the peace, and shall be removable on conviction for malpractice in office.

SECTION IX.

UNIFORMITY OF COURTS.

1. UNIFORMITY PROVIDED FOR.—The jurisdiction, powers, proceedings and practice of all courts or officers invested with judicial powers (except city courts), of the same grade or class, so far as regulated by law, and the force and effect of the process, judgment and decree, by such courts, severally, shall be uniform. This uniformity must be established by the General Assembly.

SECTION X.

ATTORNEY-GENERAL.

1. ATTORNEY-GENERAL; ELECTION.—There shall be an attorney-general of this State, who shall be elected by the people at the same time, for the same term, and in the same manner as the Governor.

2. DUTIES.—It shall be the duty of the attorney-general to act as the legal adviser of the Executive Department, to represent the State in the Supreme Court in all capital felonies; and in all civil and criminal cases in any court when required by the Governor, and to perform such other services as shall be required of him by law.

SECTION XI.

SOLICITOR-GENERAL.

1. SOLICITOR-GENERAL; TERM.—There shall be a solicitor-general for each judicial circuit, whose official term (except to fill a vacancy) shall be four years. The successors of present and subsequent incumbents shall be elected by the electors of the whole State, qualified to vote for members of the General Assembly, at the general election held next preceding the expiration of their respective terms. Every vacancy occasioned by death, resignation or other cause, shall be filled by appointment of the Governor until the

first day of January after the general election held next after the expiration of thirty days from the time such vacancy occurs, at which election a successor for the unexpired term shall be elected: *Provided*, that the successors for all incumbents whose terms expire on or before the first day of January, 1899, shall be elected by the General Assembly at its session for 1898, for the full term of four years.

2. DUTIES.—It shall be the duty of the solicitor-general to represent the State in all cases in the superior courts of his circuit, and in all cases taken up from his circuit to the Supreme Court, and to perform such other services as shall be required of him by law.

SECTION XII.

ELECTIONS OF JUDGES, ETC.

1. JUDGES ELECTED BY GENERAL ASSEMBLY; VACANCIES.—The Judges of Supreme and superior courts, and solicitors-general, shall be elected by the General Assembly, in joint session, on such day or days as shall be fixed by joint resolution of both houses. At the session of the General Assembly which is held next before the expiration of the terms of the present incumbents, as provided in this Constitution, their successors shall be chosen; and the same shall apply to the election of those who shall succeed them. Vacancies occasioned by death, resignation or other cause, shall be filled by appointment of the Governor, until the General Assembly shall convene, when an election shall be held to fill the unexpired portion of the vacant terms.

SECTION XIII.

JUDICIAL SALARIES.

1. SALARIES OF JUDGES.—The judges of the Supreme Court shall have, out of the treasury of the State, salaries not to exceed three thousand dollars per annum; the judges of the superior courts shall have salaries not to exceed two thousand dollars per annum; the attorney-general shall have a salary not to exceed two thousand dollars per annum; and the solicitors-general each shall have salaries not to exceed two hundred and fifty dollars per annum; but the attorney-general shall not have any fee or perquisite in any cases arising after the adoption of this Constitution; but the provisions of this section shall not affect the salaries of those now in office.

2. HOW SALARIES MAY BE CHANGED.—The General Assembly may at any time, by a two-thirds vote of each branch, prescribe other and different salaries for any, or all, of the above officers, but no such change shall affect the officers then in commission.

SECTION XIV.

QUALIFICATION OF JUDGES, ETC.

1. QUALIFICATIONS.—No person shall be judge of the Supreme or superior courts or attorney-general, unless, at the time of his election, he shall have attained the age of thirty years, and shall have been a citizen of the State three years, and have practiced law for seven years; and no person shall be hereafter elected solicitor-general, unless, at the time of his election, he shall have attained twenty-five years of age, shall have been a citizen of the State for three years, and shall have practiced law for three years next preceding his election.

SECTION XV.

DIVORCE.

1. DIVORCE.—No total divorce shall be granted, except on the concurrent verdicts of two juries at different terms of the court.

2. LAST JURY DETERMINES DISABILITIES.—When a divorce is granted, the jury rendering the final verdict shall determine the rights and disabilities of the parties.

SECTION XVI.

VENUE.

1. DIVORCE CASES, WHERE BROUGHT.—Divorce cases shall be brought in the county where the defendant resides, if a resident of this State; if the defendant be not a resident of this State, then in the county in which the plaintiff resides.

2. LAND, TITLES, WHERE TRIED.—Cases respecting titles to land shall be tried in the county where the land lies, except where a single tract is divided by a county line, in which case the superior court in either county shall have jurisdiction.

3. EQUITY CASES.—Equity cases shall be tried in the county where a defendant resides against whom substantial relief is prayed.

4. SUITS AGAINST JOINT OBLIGORS, ETC.—Suits against joint obligors, joint promissors, copartners, or joint trespassers, residing in different counties, may be tried in either county.

5. SUITS AGAINST MAKER AND INDORSER, ETC.—Suits against the maker and indorser of promissory notes, or drawer, acceptor and indorser of foreign or inland bills of exchange, or like instruments, residing in different counties, shall be brought in the county where the maker or acceptor resides.

6. ALL OTHER CASES.—All other civil cases shall be tried in the county where the defendant resides, and all criminal cases shall be tried in the county where the crime was committed, except cases in the superior courts where the judge is satisfied that an impartial jury cannot be obtained in such county.

SECTION XVII.

CHANGE OF VENUE.

1. POWER TO CHANGE VENUE.—The power to change the venue in civil and criminal cases shall be vested in the superior courts, to be exercised in such manner as has been, or shall be, provided by law.

SECTION XVIII.

JURY TRIALS.

1. TRIAL BY JURY.—The right of trial by jury, except where it is otherwise provided in this Constitution, shall remain inviolate, but the General Assembly may prescribe any number, not less than five, to constitute a trial or traverse jury in courts other than the superior and city courts.

2. SELECTION OF JURORS.—The General Assembly shall provide by law for the selection of the most experienced, intelligent and upright men to serve as grand jurors, and intelligent and upright men to serve as traverse jurors. Nevertheless, the grand jurors shall be competent to serve as traverse jurors.

3. COMPENSATION OF JURORS.—It shall be the duty of the General Assembly, by general laws, to prescribe the manner of fixing compensation of jurors in all counties in this State.

SECTION XIX.

COUNTY COMMISSIONERS.

1. POWER TO CREATE COUNTY COMMISSIONERS.—The General Assembly shall have power to provide for the creation of county commissioners in such counties as may require them, and to define their duties.

SECTION XX.

WHAT COURTS MAY BE ABOLISHED.

1. POWER TO ABOLISH COURTS.—All courts not specially mentioned by name in the first section of this Article, may be abolished in any county, at the discretion of the General Assembly.

SECTION XXI.

SUPREME COURT COSTS.

1. COSTS IN SUPREME COURT.—The costs in the Supreme Court shall not exceed ten dollars, until otherwise provided by law. Plaintiffs in error shall not be required to pay costs in said court when the usual pauper oath is filed in the court below.

ARTICLE VII.

FINANCE, TAXATION AND PUBLIC DEBT.

SECTION I.

POWER OF TAXATION.

1. TAXATION, HOW AND FOR WHAT PURPOSE EXERCISED.—The powers of taxation over the whole State shall be exercised by the General Assembly for the following purposes only:

For the support of the State government and the public institutions.

For educational purposes, in instructing children in the elementary branches of an English education only.

To pay the interest on the public debt.

To pay the principal of the public debt.

To suppress insurrection, to repel invasion, and defend the State in time of war.

To supply the soldiers who lost a limb, or limbs, in the military service of the Confederate States, with substantial artificial limbs during life, and to make suitable provision for such Confederate soldiers as may have been otherwise disabled or permanently injured in such service; or who, by reason of age and poverty, or infirmity and poverty, or blindness and poverty, are unable to provide a living for themselves; and for the widows of such Confederate soldiers as may have died in the service of Confederate States, or since from

wounds received therein, or disease contracted therein: *Provided*, this paragraph shall only apply to such widows as were married at the time of such service and have remained unmarried since the death of such soldier husbands.

(This paragraph has been amended so as to limit the levy of taxes for any one year to five mills on each dollar of taxable property, except in time of war.)

SECTION II.

TAXATION AND EXEMPTIONS.

1. MUST BE UNIFORM, ETC.; DOGS.—All taxation shall be uniform upon the same class of subjects, and *ad valorem* on all property subject to be taxed within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws. The General Assembly may, however, impose a tax upon such domestic animals as, from their nature and habits, are destructive of other property.

2. EXEMPTIONS.—The General Assembly may, by law, exempt from taxation all public property, places of religious worship or burial; all institutions of purely public charity; all buildings erected for and used as a college, incorporated academy, or other seminary of learning; the real and personal estate of any public library, and that of any other literary association, used by or connected with such library; all books and philosophical apparatus; and all paintings and statuary of any company of association, kept in a public hall, and not held as merchandise, or for purposes of sale or gain: *Provided*, the property so exempted be not used for purposes of private or corporate profit or income.

3. POLL TAX.—No poll tax shall be levied except for educational purposes, and such tax shall not exceed one dollar annually, upon each poll.

4. LAWS EXEMPTING PROPERTY VOID.—All laws exempting property from taxation, other than the property herein enumerated, shall be void.

5. TAX ON CORPORATIONS.—The power to tax corporations and corporate property, shall not be surrendered or suspended by any contract or grant to which the State shall be a party.

SECTION III.

STATE DEBT.

1. DEBTS, FOR WHAT CONTRACTED.—No debt shall be contracted by or on behalf of the State, except to supply casual deficiencies of revenue, to repel invasion, suppress insurrection, and defend the State in time of war, or to pay the existing public debt; but the debt created to supply deficiencies in revenue shall not exceed, in the aggregate, two hundred thousand dollars.

SECTION IV.

DEBT, HOW CONTRACTED.

1. FORM OF LAWS TO BORROW MONEY.—All laws authorizing the borrowing of money by or on behalf of the State, shall specify the purposes for which the money is to be used, and the money so obtained shall be used for the purpose specified, and for no other.

SECTION V.

STATE AID.

1. STATE AID FORBIDDEN.—The credit of the State shall not be pledged or loaned to any individual, company, corporation or association, and the State shall not become a joint owner or stockholder in any company, association or corporation.

SECTION VI.

PURPOSES OF TAXATION BY COUNTIES AND CITIES.

1. RESTRICTIONS ON COUNTIES AND CITIES.—The General Assembly shall not authorize any county, municipal corporation, or political division of this State, to become a stockholder in any company, corporation, or association, or to appropriate money for, or to loan its credit to, any corporation, company, association, institution, or individual, except for purely charitable purposes. This restriction shall not operate to prevent the support of schools by municipal corporations within their respective limits: *Provided*, that if any municipal corporation shall offer to the State any property for locating or building a capitol, and the State accepts such offer, the corporation may comply with such offer.

2. TAXING POWER OF COUNTIES LIMITED.—The General Assembly shall not have power to delegate to any county the right to levy a tax for any purpose, except for educational purposes in instructing children in the elementary branches of an English education only; to build and repair the public buildings and bridges; to maintain and support prisoners; to pay jurors and coroners, and for litigation, quarantine, roads and expenses of courts; to support paupers and pay debts heretofore existing.

SECTION VII.

LIMITATION ON MUNICIPAL DEBTS.

1. DEBT OF COUNTIES AND CITIES NOT TO EXCEED SEVEN PER CENT.—The debt hereafter incurred by any county, municipal corporation, or political division of this State, except as in this Constitution provided for, shall not exceed seven per centum of the assessed value of all the taxable property therein, and no such county, municipality, or division, shall incur any new debt, except for a temporary loan or loans to supply casual deficiencies of revenue, not to exceed one-fifth of one per centum of the assessed value of taxable property therein, without the assent of two-thirds of the qualified voters thereof, at an election for that purpose, to be held as may be prescribed by law; but any city, the debt of which does not exceed seven per centum of the assessed value of the taxable property at the time of the adoption of this Constitution, may be authorized by law to increase, at any time, the amount of said debt, three per centum upon such assessed valuation.

2. COUNTY AND CITY BONDS, HOW PAID.—Any county, municipal corporation, or political division of this State, which shall incur any bonded indebtedness under the provisions of this Constitution, shall, at or before the time of so doing, provide for the assessment and collection of an annual tax, sufficient in amount to pay the principal and interest of said debt within thirty years from the date of the incurring of said indebtedness.

SECTION VIII.

ASSUMPTION OF DEBT.

1. ASSUMPTION OF DEBTS FORBIDDEN.—The State shall not assume the debt, nor any part thereof, of any county, municipal corporation, or political division of the State, unless such debt shall be contracted to enable the State to repel invasion, suppress insurrection, or defend itself in time of war.

SECTION IX.

PUBLIC MONEY.

1. PROFIT ON PUBLIC MONEY.—The receiving, directly or indirectly, by any officer of the State or county, or member or officer of the General Assembly, of any interests, profits or perquisites arising from the use or loan of public funds in his hands, or moneys to be raised through his agency for State or county purposes, shall be deemed a felony, and punishable as may be prescribed by law, a part of which punishment shall be a disqualification from holding office.

SECTION X.

CITY DEBTS.

1. CITY DEBTS, HOW INCURRED.—Municipal corporations shall not incur any debt until provision therefor shall have been made by the municipal government.

SECTION XI.

VOID BONDS.

1. CERTAIN BONDS SHALL NOT BE PAID.—The General Assembly shall have no authority to appropriate money directly or indirectly, to pay the whole, or any part, of the principal or interest of the bonds, or other obligations, which have been pronounced illegal, null and void, by the General Assembly, and the constitutional amendments ratified by a vote of the people on the first day of May, 1877; nor shall the General Assembly have authority to pay any of the obligations created by the State under laws passed during the late war between the States, nor any of the bonds, notes, or obligations made and entered into during the existence of said war, the time for the payment of which was fixed after the ratification of a treaty of peace between the United States and the Confederate States; nor shall the General Assembly pass any law, or the Governor, or other State official, enter into any contract or agreement, whereby the State shall be made a party to any suit in any court of this State, or of the United States, instituted to test the validity of any such bonds or obligations.

SECTION XII.

PUBLIC DEBT NOT TO BE INCREASED.

1. BONDED DEBT NOT TO INCREASE.—The bonded debt of the State shall never be increased, except to repel invasion, suppress insurrection, or to defend the State in time of war.

SECTION IV.

EDUCATIONAL TAX.

1. COUNTIES AND CITIES MAY TAX FOR PUBLIC SCHOOLS.—Authority may be granted to counties, militia districts, school districts, and to municipal corporations upon the recommendation of the corporate authority, to establish and maintain public schools in their respective limits, by local taxation; but no such local laws shall take effect until the same shall have been submitted to a vote of the qualified voters in each county, militia district, school district, or municipal corporation, and approved by a two-thirds majority of those voting at such election; and the General Assembly may prescribe who shall vote on such question.

SECTION V.

LOCAL SYSTEMS.

1. LOCAL SCHOOLS NOT AFFECTED.—Existing local school systems shall not be affected by this Constitution. Nothing contained in first section of this article shall be construed to deprive schools in this State, not common schools, from participation in the educational fund of the State, as to all pupils therein taught in the elementary branches of an English education.

SECTION VI.

UNIVERSITY OF GEORGIA.

1. STATE UNIVERSITY.—The trustees of the University of Georgia may accept bequests, donations and grants of land, or other property, for the use of said University. In addition to the payment, of the annual interest on the debt due by the State to the University, the General Assembly may, from time to time, make such donations thereto as the condition of the treasury will authorize. And the General Assembly may also, from time to time, make such appropriations of money as the condition of the treasury will authorize, to any college or university (not exceeding one in number) now established, or hereafter to be established, in this State for the education of persons of color.

ARTICLE IX.

HOMESTEAD AND EXEMPTIONS.

SECTION I.

HOMESTEAD.

1. HOMESTEAD AND EXEMPTION.—There shall be exempt from levy and sale, by virtue of any process whatever under the laws of this State, except as hereinafter excepted, of the property of every head of a family, or guardian or trustee of a family of minor children, or every aged or infirm person, or person having the care and support of dependent females of any age, who is not the head of a family, realty or personalty, or *both, to the value in the* aggregate of sixteen hundred dollars.

SECTION II.

EXEMPTION.

1. PROTECTION GUARANTEED.—No court or ministerial officer in this State shall ever have jurisdiction or authority to enforce any judgment, execution, or decree, against the property set apart for such purpose, including such improvements as may be made thereon from time to time, except for taxes, for the purchase money of the same, for labor done thereon, for material furnished therefor, or for the removal of incumbrances thereon.

SECTION III.

WAIVER OF HOMESTEAD.

1. MAY BE WAIVED, HOW FAR; HOW SOLD.—The debtor shall have power to waive or renounce in writing his right to the benefit of the exemption provided for in this Article, except as to wearing apparel, and not exceeding three hundred dollars worth of household and kitchen furniture, and provisions, to be selected by himself and his wife, if any, and he shall not, after it is set apart, alienate or encumber the property so exempted, but it may be sold by the debtor, and his wife, if any, jointly, with the sanction of the judge of the superior court of the county where the debtor resides or the land is situated, the proceeds to be reinvested upon the same uses.

SECTION IV.

HOMESTEAD SET APART, HOW.

1. SETTING APART SHORT HOMESTEAD.—The General Assembly shall provide, by law, as early as practicable, for the setting apart and valuation of said property. But nothing in this Article shall be construed to affect or repeal the existing laws for exemption of property from sale, contained in the present Code of this State, in paragraphs 2040 to 2049, inclusive, and the acts amendatory thereto. It may be optional with the applicant to take either, but not both, of such exemptions.

SECTION V.

SHORT HOMESTEAD WAIVED.

1. SHORT HOMESTEAD MAY BE WAIVED.—The debtor shall have authority to waive or renounce in writing his right to the benefit of the exemption provided for in section four, except as is excepted in section three of this Article.

SECTION VI.

HOMESTEAD SUPPLEMENTED.

1. SUPPLEMENTAL HOMESTEAD.—The applicant shall at any time have the right to supplement his exemption by adding to an amount already set apart, which is less than the whole amount of exemption herein allowed, a sufficiency to make his exemption equal to the whole amount.

SECTION VII.

FORMER HOMESTEADS PRESERVED.

1. HOMESTEADS HERETOFORE SET APART.—Homesteads and exemptions of personal property which have been heretofore set apart by virtue of the provisions of the existing Constitution of this State, and in accordance with the laws for the enforcement thereof, or which may be hereafter so set apart, at any time, shall be and remain valid as against all debts and liabilities existing at the time of the adoption of this Constitution, to the same extent that they would have been had said existing Constitution not been revised.

SECTION VIII.

PRIOR RIGHTS TO EXEMPTION PRESERVED.

1. VESTED RIGHTS PROTECTED.—Rights which have become vested under previously existing laws shall not be affected by anything herein contained. In all cases in which homesteads have been set apart under the Constitution of 1868, and the laws made in pursuance thereof, and a *bona fide* sale of such property has been subsequently made and the full purchase price thereof has been paid, all right of exemption in such property by reason of its having been so set apart, shall cease in so far as it affects the right of the purchaser. In all such cases where a part only of the purchase price has been paid, such transactions shall be governed by the laws now of force in this State, in so far as they affect the rights of the purchaser, as though said property had not been set apart.

SECTION IX.

SALE OF HOMESTEAD.

1. SALE AND REINVESTMENT OF HOMESTEAD.—Parties who have taken a homestead of realty under the Constitution of 1868 shall have the right to sell said homestead and reinvest the same, by order of the judge of the superior courts of this State.

ARTICLE X.

MILITIA.

SECTION I.

MILITIA AND VOLUNTEERS.

1. ORGANIZATION OF MILITIA.—A well regulated militia being essential to the peace and security of the State, the General Assembly shall have authority to provide by law how the militia of this State shall be organized, officered, trained, armed, and equipped; and of whom it shall consist.

2. VOLUNTEERS.—The General Assembly shall have power to authorize the formation of volunteer companies, and to provide for their organization into battalions, regiments, *brigades,* divisions and corps, with such restrictions as may be prescribed by law, and *shall have authority to* arm and equip the same.

3. PAY OF MILITIA.—The officers and men of the militia and volunteer forces shall not be entitled to receive any pay, rations, or emoluments, when not in active service by authority of the State.

ARTICLE XI.

COUNTIES AND COUNTY OFFICERS.

SECTION I.

COUNTIES.

1. COUNTIES ARE CORPORATE BODIES.—Each county shall be a body corporate, with such powers and limitations as may be prescribed by law. All suits by or against a county, shall be in the name thereof; and the metes and bounds of the several counties shall remain as now prescribed by law, unless changed as hereinafter provided.

2. NEW COUNTIES NOT ALLOWED.—(There shall not be more than 146 counties.)

3. CHANGE OF COUNTY LINES.—County lines shall not be changed unless under the operation of a general law for that purpose.

4. CHANGE OF COUNTY SITES.—No county-site shall be changed or removed, except by a two-thirds vote of the qualified voters of the county, voting at an election held for that purpose, and a two-thirds vote of the General Assembly.

5. DISSOLUTION OF COUNTIES.—Any county may be dissolved and merged with contiguous counties, by a two-thirds vote of the qualified electors of such county, voting at an election held for that purpose.

SECTION II.

COUNTY OFFICERS.

1. COUNTY OFFICERS.—The county officers shall be elected by the qualified voters of their respective counties, or districts, and shall hold their offices for two years. They shall be removed on conviction for malpractice in office, and no person shall be eligible to any of the offices referred to in this paragraph, unless he shall have been a resident of the county for two years, and is a qualified voter.

SECTION III.

UNIFORMITY IN COUNTY OFFICERS.

1. COUNTY OFFICERS TO BE UNIFORM.—Whatever tribunal, or officers, may hereafter be created by the General Assembly for the transaction of county matters, shall be uniform throughout the State, and of the same name, jurisdiction and remedies, except that the General Assembly may provide for the appointment of commissioners of roads and revenue in any county.

SECTION IV.

STATE CAPITAL.

1. CAPITAL IN ATLANTA.—The city of Atlanta shall be the capital of the State, until changed by the same authority, and in the same way, that is provided for the alteration of this Constitution.

ARTICLE XII.

THE LAWS OF GENERAL OPERATION IN FORCE IN THIS STATE.

SECTION I.

1. SUPREME LAW, WHAT IS.—The laws of general operation in this State are, first, as the supreme law: The Constitution of the United States, the laws of the United States in pursuance thereof, and all treaties made under the authority of the United States.

2. SECOND IN AUTHORITY.—Second, as next in authority thereto: this Constitution.

3. THIRD IN AUTHORITY.—Third, in subordination to the foregoing: All laws now of force in this State, not inconsistent with this Constitution, and the ordinances of this Convention, shall remain of force until the same are modified or repealed by the General Assembly. The tax acts and appropriation acts passed by the General Assembly of 1877, and approved by the Governor of the State, and not inconsistent with the Constitution, are hereby continued in force until altered by law.

4. LOCAL AND PRIVATE ACTS.—Local and private acts passed for the benefit of counties, cities, towns, corporations, and private persons, not inconsistent with the supreme law, nor with this Constitution, and which have not expired nor been repealed, shall have the force of statute law, subject to judicial decision as to their validity when passed, and to any limitations imposed by their own terms.

5. VESTED RIGHTS SECURED.—All rights, privileges and immunities which may have been vested in, or accrued to, any person or persons, or corporation, in his, her or their own right, or in any fiduciary capacity, under and in virtue of, any act of the General Assembly, or any judgment, decree or order, or other proceeding of any court of competent jurisdiction in this State, heretofore rendered, shall be held inviolate by all courts before which they may be brought in question, unless attacked for fraud.

6. ACTS OF COURTS CONFIRMED.—All judgments, decrees, orders, and other proceedings, of the several courts of this State, heretofore made, within the limits of their several jurisdictions, are hereby ratified and affirmed, subject only to reversal by motion for a new trial, appeal, bill of review, or other proceeding, in conformity with the law of force when they were made.

7. EXISTING OFFICERS.—The officers of the government now existing, shall continue in the exercise of their several functions until their successors are duly elected or appointed, and qualified; but nothing herein is to apply to any officer whose office may be abolished by this Constitution.

8. ORDINANCES.—The ordinances of this Convention shall have the force of laws until otherwise provided by the General Assembly, except the ordinances in reference to submitting the homestead and capital question to a vote of the people, which ordinances, after being voted on, shall have the effect of constitutional provisions.

ARTICLE XIII.

AMENDMENTS TO THE CONSTITUTION.

SECTION I.

1. CONSTITUTION, HOW AMENDED.—Any amendment, or amendments, to this Constitution *may* be proposed in the Senate or House of Representatives, and if the same shall

be agreed to, by two-thirds of the members elected to each of the two houses, such proposed amendment, or amendments shall be entered on their journals, with the yeas and nays taken thereon. And the General Assembly shall cause such amendment or amendments to be published in one or more newspapers in each congressional district, for two months previous to the time of holding the next general election, and shall also provide for a submission of such proposed amendment or amendments to the people at said next general election, and if the people shall ratify such amendment or amendments, by a majority of the electors qualified to vote for members of the General Assembly, voting thereon, such amendment or amendments shall become a part of this Constitution. When more than one amendment is submitted at the same time, they shall be so submitted as to enable the electors to vote on each amendment separately.

2. CONVENTION, HOW CALLED.—No convention of the people shall be called by the General Assembly to revise, amend, or change this Constitution, unless by a concurrence of two-thirds of all the members of each house of the General Assembly. The representation in said convention shall be based on population as near as practicable.

SECTION II.

CONSTITUTION, HOW RATIFIED.

1. CONSTITUTION, HOW RATIFIED.—The Constitution shall be submitted for ratification or rejection to the electors of the State, at an election to be held on the first Wednesday in December, one thousand eight hundred and seventy-seven, in the several election districts of this State, at which election every person shall be entitled to vote who is entitled to vote for the members of the General Assembly under the Constitution and laws of force at the date of such election; said election to be held and conducted as is now provided by law for holding elections for members of the General Assembly. All persons voting at said election in favor of adopting the Constitution, shall write or have printed on their ballots the words "For Ratification," and all persons opposed to the adoption of this Constitution shall write or have printed on their ballots the words "Against Ratification."

2. CONSOLIDATION OF VOTES.—The votes cast at said election shall be consolidated in each of the counties of this State, as is now required by law in elections for members of the General Assembly, and returns thereof made to the Governor; and should a majority of all the votes cast at said election be in favor of ratification, he shall declare the said Constitution adopted, and make proclamation of the result of said election by publication in one or more newspapers in each congressional district of the State, but should a majority of the votes cast be against ratification, he shall in the same manner proclaim the said Constitution rejected.

CONSTITUTION RATIFIED.

Ratified by a vote of the People at an election held on the fifth day of December, 1877.

The Convention which adopted the Constitution met on the eleventh day of July, and adjourned on the twenty-fifth day of August, 1877.

GOVERNORS OF GEORGIA.

COLONIAL:

Gen. James E. Oglethorpe.	1732
William Stephens (Acting)	1743
Henry Parker (Acting)	1751

PROVINCIAL:

John Reynolds	1754
Henry Ellis	1757
James Wright	1760

PROVISIONAL:

Archibald Bullock, President	1776
Button Gwinnett, President	1777

STATE:

John A. Treutlen	1777
John Houstoun	1778
John Wereat	1778
George Walton	1779
Richard Howley	1780
Stephen Heard	1781
Nathan Brownson	1781
John Martin	1782
Lyman Hall	1783
John Houstoun	1784
Samuel Elbert	1785
Edward Telfair	1786
George Matthews	1787
George Handly	1788
George Walton	1789
Edward Telfair	1790
George Matthews	1793
Jared Irwin	1796
James Jackson	1798
David Emanuel	1801
Josiah Tatnall	1801
John Milledge	1802
Jared Irwin	1806
David B. Mitchell	1809
Peter Early	1813
David B. Mitchell	1815
William Rabun	1817
Matthew Talbot, President of Senate	1819
John Clark	1819
George M. Troup	1823
John Forsyth	1827
George R. Gilmer	1829
Wilson Lumpkin	1831
William Schley	1833
George R. Gilmer	1837
Charles J. McDonald	1839
George W. Crawford	1843
George W. Towns	1847
Howell Cobb	1851
Herschel V. Johnson	1853
Joseph E. Brown	1857
James Johnson, Provisional Governor	1865
Charles J. Jenkins	1865
Gen. T. H. Ruger, U.S.A., Military Governor	1868
Rufus B. Bullock	1868
Benjamin Conley, President of Senate	1871
James M. Smith	1872
Alfred H. Colquitt	1876
Alexander H. Stephens	1882
James S. Boynton, President of Senate	1883
Henry D. McDaniel	1883
John B. Gordon	1886
W. J. Northen	1890
W Y Atkinson	1894
A. D. Candler	1898
Joseph M. Terrell	1902
Hoke Smith	1907
Jos. M. Brown	1909
Hoke Smith	1911

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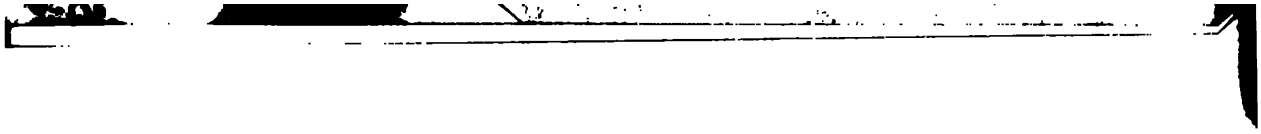

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